

BRISTOL BAY SUBSISTENCE REGIONAL ADVISORY COUNCIL

PUBLIC MEETING

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FAA - COMSERFAC

King Salmon, Alaska

VOLUME II

COUNCIL MEMBERS PRESENT:

Daniel J. O'Hara, Chairman
H. Robin Samuelsen, Vice Chairman
Sam. G. Stepanoff, Secretary
Peter M. Abraham, Member
Robert Heyano, Member
Timothy J. LaPorte, Member

Helga Eakon, Coordinator

P R O C E E D I N G S

CHAIRMAN O'HARA: Call the meeting back to order. I believe the time is about 8:45. And if we could take our seats and sit down, if you would, please? We do have the last report to give this morning, and our local biologist here, Dick Sellers, is going to come to the overhead this morning. We're going to do caribou in 9(E), is it, Dick? And just for the record, if you'd state your name so that we could -- when we all go to court, we'll be able to recognize each other, okay?

MR. SELLERS: Thank you, Mr. Chairman. My name is Dick Sellers. I'm with the Alaska Department of Fish & Game here in King Salmon. I apologize for the kind of awkward arrangement with the screen. If people in the audience want to see it,

they'll probably have to get over on the far side of the room there.

CHAIRMAN O'HARA: Yeah, if they want to move over to see the screen, that would be great.

MR. SELLERS: There aren't too many of these, but I thought it would be easier to discuss the history and current status of what we call the Northern Alaska Peninsula caribou herd with some of the data I want to present to have some visuals to refer to, so we'll proceed that way.

Just in terms of background, the Northern Peninsula herd generally has ranged from Port Moller, which is at the bottom of that map there, up traditionally as far as the Naknek River, and then starting in about 1987 we started getting fairly significant numbers of caribou crossing the Naknek River, which for people out of town is this, of course, river right behind us here. About the same time was when the Mulchatna herd started crossing the Kvichak and coming into the Branch River, and even as far as the Naknek River. About that same time.

I'll start with this first overhead which gives the long-term history of the Northern Peninsula herd, and, of course, the early estimates going back before 1950 or so are ballpark estimates. Without survey aircraft and radio telemetry, I'm sure the numbers are just generalizations.

The other factor that's a little hard to sort out when you're looking through the historical documents is that quite often they didn't distinguish between the two Peninsula herds. The Southern Peninsula herd is the group that resides south of Port Moller as far down as Unimak Island. So we tried to sort out as best we could those two different herds.

The points I want to make is that there have been in historic times two periods when this herd crashed. Back in 1920 or the early 20s and then again about the late 1940s. And the interesting thing was when these two periods of decline occurred, we couldn't find any documentation that people were worried about the condition of the animals themselves. Nobody really referred to a massive winter starvation or the fact that

the caribou were getting extremely thin. The two explanations that were offered in various reports were for the 1920 decline, there was some conjecture that perhaps the eruption of Katmai Volcano, and that effects on habitat may have sparked that first decline. And then the decline in the late 1940s was at least partially attributed to hunting by military people that were stationed at Port Moller, and Port Heiden, and even here. But, again, the point is that there was no reference to habitat conditions being so bad that the animals were starving or had extremely low reproduction.

Since 1949 there, the population has gradually increased, and peaked during the 1980s. And the counts there from 1981 to 1989 are an average. We had some years where we counted up to 20,000 caribou, other years where it was down around 17. So that number's an average for that time period. Some of that fluctuation may have been real, some of it may have been just that we missed a herd or two during our counts.

During that period, we saw some evidence that maybe that was too many caribou. We saw this change in migration patterns. We had caribou coming off the summer ranges earlier and earlier. We had that expansion of the winter range across the Naknek River. And we, you know, were able to look at the habitat and see that there was relatively little lichens on the traditional winter grounds around Becharof Lake, west and north of there. So we had some concerns.

On the other side of the coin, there were also good signs. The herd remained very productive, and the next overhead we'll look at will show the calf production. That's one of the first indicators normally that your herd is in nutritional problems. They just don't produce as many calves or the ones they do don't survive very well.

But anyway we decided that we were going to try to reduce the herd down to the lower end of the population objective, which was down towards 15,000. As you can see, we were headed that direction, and I thought we were on the right course, and then in 1993/94 we have real high mortality of adult females that winter. We also had the highest harvest, primarily

right here around down. Winter harvest. And the bottom line was when we did our counts in 1994, we only counted just under 12,000 caribou. And that came as a bit of a surprise. It was a little lower than we wanted to go, so I think most of the Council members remember the steps we took to reduce the harvest.

Let me go to this next overhead which shows the composition of the herd. The lower line here, the bluish line is the percent calves that we counted in our late June population census. And as you can see, it was pretty stable from 1981 until about 1993, and that's where you can start to see some decline in percent calves that we counted in our photo census. So again up to 1993 we thought we were in pretty good shape, although we did have some concerns about nutrition.

The purple line is the fall calf/cow ratio. And it jumps around quite a bit, but it consistently was better than 30 calves per 100 cows, and that's relatively good. But again you can see starting in -- actually a little earlier, starting about 1991 was where we had a good peak, and it shows a pretty steady decline since 1991, although again up until this past year, it was still above 30 calves per 100 cows, so that's good. This last fall, '95, we only had 24 calves per 100 cows. That's the lowest we've ever had, and it's again of some concern to us.

And the third line, the top line there in kind of orange, is the bull/cow ratio. Our objective has been to maintain 40 bulls per 100 cows, and you can see it's hovered around that level, and we think the bull/cow ratio is adequate for reproductive requirements.

What we've started to do recently is focus a little more on the condition of the animals. There are two ways to look at the relationship between the animals and their habitat. One is to go out and measure the habitat, actually go out and count how many plants are on a given piece of ground, and what composition of plants. That's pretty tedious. It takes a lot of manpower.

The other way, and maybe a more sensitive indicator, is to look at the animals themselves to see what kind of condition

they're in. If you'll look at the two bars -- you'll see this is a graph that shows four different herds. I should start there. The darkest bar is for the Northern Alaska Peninsula herd, the next to the darkest is the Nushagak herd, then the Mulchatna, and then the Nelchina herd. And I focused on these four herds, because if you look at the two bars over here, these are measurements of bone, which indicate the body size, and you can see there's no difference in body size between those four herds. But if you look at the fall weight of -- these are all female calves. And we were focusing on those in the last two years, because they're the most standard animal. There's nothing that affects the female calves like whether they've been nursing a calf, or whether they've been through the rut or anything. They're the most standardized animal out there.

If you look at the fall weight of those calves, we collected 11 calves this past October, and that's what that dark bar is here, they're significantly lighter than the calves that were collected from the Nelchina herd last fall. If you look at the spring weights, these are calves that just short of a year old, the only statistical difference is that they're significantly lighter than the Nushagak animals, which are of the same genetic stock. We did a transplant in 1988, and took 140 some caribou over to the Nushagak Peninsula. So those animals over in the Nushagak are of same body size, but they're much -- in much better shape in terms of weight, and also in terms of percent fat in the bone marrow.

It's interesting to note that typically your percent fat would be highest in the fall when the animals are in their -- normally in their best shape, but the Peninsula herd in the fall was actually already below what you would expect for animals that are entering a winter.

We had considered collecting some animals this next month, and what we were thinking of doing was that we had some Peninsula animals that had crossed the river and were wintering up by Sugarloaf Mountain and Paul's Creek, which is much better habitat, and we were going to compare the body condition of those with some calves that remained on their traditional winter grounds. Well, unfortunately most of the animals that crossed

this fall have already gone south and are mixed up, so we probably won't be able to do that. But we anticipated a significant difference in body condition based on where they wintered.

We're still trying to get a handle on, you know, how much stress these animals are in in terms of what they're getting to eat. We'll get a real good indicator of that this spring, because of the caribou calves that we collared in the spring of last year. They'll be two years old, and if they're on good range, about 30% of those two-year-olds should produce calves. If they're on bad range, we'll probably have no calves produced by those two-year-olds. So we're going to be looking at that. And in addition we'll look at calf production by the adult females having come off probably the most mild winter in a long time in terms of snow cover to work on. We should have a good calf crop, unless the nutritional problem is more severe.

In terms of management, I'll show two real similar graphs here. The top line there is the total harvest from this herd in both 9(C), which is this local area, and 9(E) which is further south. And this shows what percentage of that total harvest was taken in the fall hunt versus winter hunt. And you can see that there's been a little increase in the fall harvest, which peaked in about 1987, and since then the fall harvest has actually declined a little bit. In the meantime, about 1987 when the animals started crossing the Naknek River here, the percentage of the harvest that took place during the winter has increased pretty dramatically again, especially in 1993. That was the year where we had almost 1400 animals total, of which about 700 were reported here right on the road system around town.

We instituted that change in the winter bag limit in 1994, and you can see what that did to the harvest. And in addition to that, we started really trying to encourage people to hunt -- sports hunters to go to the Mulchatna herd, and that contributed to that drop in the fall harvest. It probably would have been even more significant if the Mulchatna animals had remained in their traditional range, but they -- as you folks over on the other side of the Bay realize, they have tended to

be drifting more to the northwest, and are pretty hard to get to. And that probably explains why the fall harvest this past year increased just a little bit, that in conjunction with our brown bear season this fall is why that increased a little bit this fall. But the winter harvest is just a guess. We still have a season going on now, but we anticipate an extremely small winter harvest, because of the lack of animals around the road system here.

This is a real similar graph. The top line is again identical to the last one. It's the total harvest. But this breaks out what percentage of that harvest occurred in 9(E) versus 9(C), and you can see the long-term trend for 9(E) has been slightly down. In the meantime, a greater percentage of the harvest has come from 9(C). Again, that's primarily a winter harvest.

Our counts this past June were almost identical to the previous year. We had a cooperative census with the Fish & Wildlife Service and both years we actually counted a minimum of about 11,500, and we project that obviously we missed a few, so we're using a number about 12,000 for our current population estimate. I think that's probably not a bad number to try to stabilize it at. I wouldn't want to see it go much below where we are now, especially as far down as below 10,000. I don't want to get into a situation where predators are having a bigger impact than they are already, but at the same time I'm not really interested in pushing this herd back up to 15,000 as quickly as we can. I want to try to get a better assessment of the body condition, look at reproduction this coming year, and see in fact whether there appears to be enough food out there to increase the herd.

In addition, I think, you know, if we could keep it at 12,000, and again encourage nonlocal hunters to look at some other herds, we can probably continue to meet the bulk of the subsistence needs, although again as we mentioned last -- yesterday, it's pretty hard to get the animals to move where people need them to be, so we may not be able to meet the needs of say the villages over on the Pacific side, but even if we move the herd back up to 15,000, that's not a guarantee that

they would see any more caribou over there.

So, you know, we're doing -- I think we're on the right course for now. We're not proposing any drastic changes at this point. We want to look at this summer's production and total counts, and then the State cycle will address all species in Unit 9 next spring. So by late next fall, we'll have a much better picture of where we stand, and we'll be able to develop some proposals if we need to, to go to the State Board.

I think that's the general picture. I do have some statistics on the October harvest, because I know Dan was interested, and perhaps

CHAIRMAN O'HARA: Uh-huh.

MR. SELLERS: just looking at what's going on in October. I don't know if you want to get into that now or field some general

CHAIRMAN O'HARA: I'd like to take it now if it's not going to take too long. And then we'll have questions after that.

MR. SELLERS: This is just a long-term history. We only started collecting harvest data in 1977, so we don't have anything before that, but again you can get the general picture of what has been harvested in October, and the general trend is between 100 and 150. There is an increase in the October harvest in those odd-numbered years where we have a bear season, because a lot of the bear hunters are looking for caribou as well.

In terms of who is taking caribou during October -- oops, put that on that way. The light colored part of the bar at the top is what's reported by local harvest. I think as we've covered before, we don't get a high percentage of the local subsistence harvest reported on harvest tickets, and I haven't factored in any of the household survey data, which may expand what's taken in October. But basically -- the shading on this is a little hard to see, but the darkest portion of the bar

is what is taken by Alaskans other than locals, primarily, you know, from outside the area, and then the bottom part of the bar is what's taken by nonresidents. And percentagewise it looks like, oh, somewhere around 40% of the -- 40% to 50% of the total harvest is taken by nonresidents in October.

And then if we look at the timing within October when most of the harvest takes place, you can see that, again the shading isn't real easy, but the biggest part of the pie, 59% of nonlocal Alaskans took their -- the caribou in August (sic) during the time period that the bear season was open. About 50% of the nonresidents took their caribou during the bear season, which is October 7th to the 21st.

CHAIRMAN O'HARA: And your light stuff is your residents, I mean, your local

MR. SELLERS: No, we don't depict when the locals took theirs.

CHAIRMAN O'HARA: Oh, okay.

MR. SELLERS: This is just these two different categories.

CHAIRMAN O'HARA: Oh, okay.

MR. SELLERS: The locals took so -- or reported so few it wasn't very meaningful, but the basic part here is that a good percentage of the harvest in October took place prior to the bear season, most of it during the bear season, and very little of it after the bear season was over. That's just the data that I have available for you now.

CHAIRMAN O'HARA: Uh-huh. Okay. Thank you, Dick. Questions? Yeah, Robin?

MR. SAMUELSEN: That graph you showed us, Dick, in October, isn't that when the caribou are in rut and the locals don't -- by and large don't hunt them?

MR. SELLERS: I think by and large that's true, you know, and certainly there is some harvest in October, but it's probably aimed at younger bulls I would imagine, and some cows.

MR. SAMUELSEN: Okay. Over on the Nushagak side, we've seen a dramatic increase in wolves. Has that -- has there been a -- what's the predation problem down on this herd? Is it growing, the bears and wolves, or

MR. SELLERS: I think it's

MR. SAMUELSEN: is it staying about

MR. SELLERS: I think it's fair to say both the Nine -- Unit 9 bear population has increased and wolf population probably has increased a little bit. It's pretty hard to count wolves with the lack of snow that we have over here, so we don't have any very good estimates of total wolf numbers. But, for instance, this fall during the bear season, we had more wolves taken incidental to bear hunting than we've ever had. The winter trapping harvest has fluctuated as you would expect, primarily based on what the travel conditions are, rather than what the wolf numbers are doing. But I think it's fair to say there probably are peak numbers of both species at least since I've been around, and -- but to translate that into what it does to survival and reproduction is another step, which we don't have any data to base it on. We haven't done any calf mortalities, but there's certainly lots of predators out there.

MR. SAMUELSEN: One more, Mr. Chairman. As far as migration goes, if you had a heavy snow fall up here in this area, down as far as Egegik let's say, would that drive the caribou further south usually? Is that the case?

MR. SELLERS: No, in the few winters where we've had deep snow, they've maintained on their traditional range. The biggest snow year that I remember recently is 88/89, and there were caribou on the traditional winter range that year.

MR. SAMUELSEN: Okay.

CHAIRMAN O'HARA: Any other questions?

MR. STEPANOFF: Yeah. I'm

CHAIRMAN O'HARA: Sam? You've got

MR. STEPANOFF: I'm from the Pacific side. Speaking of wolves, you know, the wolves had moved in down in our area there, and there's more wolves down there now than caribou. It's like other side of Port Moller. We went up there with snow machines, the villagers, and there is a lot of wolves, there's hardly any caribou up there.

CHAIRMAN O'HARA: In what area?

MR. STEPANOFF: That's Bristol Bay side, on this side of Port Moller.

CHAIRMAN O'HARA: Uh-huh. Okay. Yeah.

MR. SELLERS: That's one of the problems we face in terms of doing anything in terms of management of predators is that if you look at the ratio of predators to ungulate prey, in other words how many wolves and bears there are per caribou and moose. You know, we're at the extreme high end of the ratio. If you look where we're doing wolf, or have tried to do wolf control, we've been at ratio of something like 30 ungulates per predator. Well, here probably in the ratio of ten ungulates per predator. So to really be effective, we'd probably have to, you know, kill a fantastic number of bears and wolves to make a difference, so -- and, you know, if you go down to the Southern Peninsula Herd, it's probably even worse. It probably about two caribou per wolf and bear. So it's pretty bleak in terms of being effective in controlling

CHAIRMAN O'HARA: That's the Black Hills way down

MR. SELLERS: Yeah. Uh-huh.

CHAIRMAN O'HARA: there by

MR. SELLERS: Yeah. Down

CHAIRMAN O'HARA: Cold Bay?

MR. SELLERS: Down there we're down to less than 1500 caribou, and we've got an estimate 700 and some bears and probably 100 wolves, so those caribou, every time they turn around, they probably see a predator.

CHAIRMAN O'HARA: Who manages that herd?

MR. SELLERS: It's cooperatively managed between the Fish & Wildlife Service and

CHAIRMAN O'HARA: And you?

MR. SELLERS: Yes.

CHAIRMAN O'HARA: Uh-huh. Any other questions? Yeah.

MR. LaPORTE: Were you referring to the herd of wolves or the herd of caribou?

(Laughter)

MR. SELLERS: That's a good question.

CHAIRMAN O'HARA: Robert?

MR. HEYANO: Yes, any more indication on why the decline in the population is predominantly to the cows and calves?

MR. SELLERS: Well, I think, you know, it's not necessarily higher mortality to the cows and calves. What we're seeing. Probably if the bull/cow ratios remain stable, they're dying as fast as the cows, at the same rate, you know, to maintain it. If they were not dying as fast, you would expect that bull/cow ratio to be increasing and it hasn't done that. Of course, the cause of mortality is probably different. Most of those bulls are dying from lead poisoning, while the cows are dying probably at a higher rate from predation and maybe, you

know, other factors.

But in terms of the population dynamics, the two key things that will cause this herd to increase or for it to decrease is not what happens to the bulls. It's what happens to the adult cows, both in terms of their own mortality, and in terms of how successful they are at producing calves that live.

CHAIRMAN O'HARA: The calf ratio, yeah. Robert, any other?

MR. HEYANO: Yeah, I guess that's what I was getting at. I guess we can account for the mortality of the human take, and we can do that by bulls or cows, but my recollection was that at our previous meeting you indicated that the decline you've seen, or the unexplainable decline at the time, was predominantly with the cows and calves, and I was just wondering if you had a better handle on why that was occurring?

MR. SELLERS: Well, you're right. What precipitated the decline was during the winter of 1993/1994, we had 30% of the adult females that were radio collared that die, and as you may recall, I didn't have a good answer for what was killing those calves. They were -- or those cows. They were dead all the way from here down to Port Moller. The period that they died seemed to be primarily late spring. The cause of it, some of them were obviously killed by predators. There was one or two that may have been killed by hunters. There were others that were just dead out in the middle of a pasture, so we don't have a good handle on what killed those. But during the more recent year, the past year, there -- only about 10% of the cows died, which is about the normal rate, so that appeared to be a one-year phenomenon, which we can't explain fully, but it's -- you know, it didn't repeat itself this past year.

But the bigger concern at this point is that decline in calf production. If that continues -- you know, it's real dramatic what -- if you compare this herd with the Southern Peninsula herd, when that herd was at its peak back in 1983, it already had very poor calf production, and it already was starting to show this high mortality of females. We haven't had

that drop in productivity until just two or three years ago. So, you know, we're not exactly parallel to what happened down there. We're in better condition now than that herd was, but we may be headed that direction.

CHAIRMAN O'HARA: Robert.

MR. HEYANO: Yes. And then the low calf to cow ratio. Is that because there's less cows giving birth to calves, or is that because there's poor calf survival? Do you have any information on that?

MR. SELLERS: Well, we're starting to look at that, and I went down right at the first of June to look at calf production right at the peak of calving, and it was extremely impressive. This herd kind of splits. A bunch of them calve near Cinder River, and then a bunch of them go south of Port Heiden and calve down in the Ilnik to Sandy River area. And those -- about a third of them typically calve at Cinder River, and they had no calves. In fact not only didn't they have calves, apparently they didn't produce calves, because they didn't have distended udders, which you would expect as you look at these, if they gave birth and the calf died or was killed immediately, at that time their udders would still be distended with milk. We didn't see that. They apparently did not give -- or a high percentage of them did not give birth, and I don't have an explanation for that. The ones that calved south of Port Heiden did about average in terms of calf production.

One of the things that we've noticed, I noticed both at that time and even more dramatically in October when we collected those calves was a condition of little spots on the lungs, we sent some tissues into the pathologist -- into a pathology lab, and they diagnosed it as being parasitic pneumonia, which may be -- it is probably something that's out there in the herd all the time, but may become a problem if the herd is stressed nutritionally. So I don't know if that was a factor in what may have happened down there in Cinder River or not, but I think about seven out of the 11 calves that we collected had that lung problem.

There are all these little indications that, you know, we probably don't want to go back up above 15,000 caribou ever again really. What we're trying to do to this herd, every herd in the world basically, it oscillates, it fluctuates between highs and lows, and what we've been trying to do with this herd is to try to maintain at a steady level or at least reduce the peaks and the valleys so that, you know, over-all the herds more stable. We may have tried to do that at too high a level when we were trying to keep it between 15 and 20,000. That may have been a little high. Maybe we should have been trying to keep it at 12 to 15,000. But we're learning, and I think that's probably the range that we need to look at now.

CHAIRMAN O'HARA: Any other questions?

MR. HEYANO: No, that's it. Thank you, Mr. Chairman.

MR. STEPANOFF: Yeah.

CHAIRMAN O'HARA: Sam?

MR. STEPANOFF: How often is -- are you guys taking, radio tagging caribou?

MR. SELLERS: About every other year.

CHAIRMAN O'HARA: Did you do any this year at all?

MR. SELLERS: We're working in the Mulchatna this spring and then next spring we'll work back on this one.

CHAIRMAN O'HARA: Come back here. Uh-huh. I notice -- how do you do your caribou counts? Everybody in -- a lot of people in the room said we didn't get our work done because the weather was bad. You need to hire some Pen Air pilots I think to go out and do a survey or something, we'll leave it at that. But anyway, how do you go about doing your surveys, aerial surveys?

MR. SELLERS: Well, the one that we use to estimate total numbers we do generally about the third week of June.

It's what we call our post-calving photo count. That's when the -- when they calve, they're pretty well disbursed, but within that two or three-week period after calving, they start to assemble in some fairly large herds, and we use radio telemetry to find the herds, and then if they're big herds, we take aerial photographs so we can count individual animals on the photos. If they're, you know, less than 50, we just count them by twos.

CHAIRMAN O'HARA: Okay. Can you distinguish a calf

MR. SELLERS: Right.

CHAIRMAN O'HARA: on your photo?

MR. SELLERS: Well, we take -- in addition to those high level photos, we take some low level where we can actually count, distinguish calves from adults.

CHAIRMAN O'HARA: Uh-huh. Do you do any winter surveys at all?

MR. SELLERS: Pardon?

CHAIRMAN O'HARA: Do you do any winter survey? I know you do a moose count.

MR. SELLERS: Yeah.

CHAIRMAN O'HARA: Do you do any winter surveys?

MR. SELLERS: Well, the other important survey we do is in October during the rut when we have the biggest mix of all sex and age groups. They're all mixed together, so that's when we do our calf/ratios, our bull/cow ratios. That's generally October.

In the winter, we don't do anything other than occasional telemetry flights just to monitor distribution during the winter.

CHAIRMAN O'HARA: Okay. When you had your rut -- when you did your survey during the rut season in October, where did these animals accumulate in October? The biggest amounts?

MR. SELLERS: Well, this

CHAIRMAN O'HARA: I didn't see them in some of the places we

MR. SELLERS: Yeah.

CHAIRMAN O'HARA: usually them this year.

MR. SELLERS: Well, they were primarily -- they were scattered out more than normal this year, but basically south of Smelt Lake down to, oh, all the way down to Egegik River, and then kind of up the King Salmon River about half-way up

CHAIRMAN O'HARA: Uh-huh.

MR. SELLERS: the river there was the biggest concentration. But within that area, they were fairly scattered.

CHAIRMAN O'HARA: Uh-huh. You had a pretty big population of animals I think on caribou just south of the Naknek River across from King Salmon, there was many thousands of animals I think there for a while, about Christmas time.

MR. SELLERS: Uh-huh.

CHAIRMAN O'HARA: And we had very little snow and a horrendous population of wolves. I mean, like one pilot landed and he saw, you know, at least maybe anywhere ten to 12 wolves together, which is a big, big amount of wolves. And he -- there were so many of them, he thought they were a small herd of caribou, and they were wolves. And, of course, you know, there was a lot of excitement took place locally here the day that snow was going to come, there was going to be a lot of wolves going to be in big trouble. But it never did develop. And so I think the wolf population certainly moved in with the animals

when they came here south of the Naknek River.

They didn't go by South Naknek very much this year. They came, swung by the South Naknek and just kept going. And that might have been due to the east winds, when they walk into the winds, you know.

You did have some animals cross the Naknek and up into the -- below Igiugig there and those flats, and I think some of them might still be there. There's quite a few animals just north of the Branch to Alagnak River there. I noticed you've had animals stay on this side of the Branch for all summer, maybe 100 to 150. I don't know if you've seen them or not. But we see them flying back and forth all the time. They're just this side of the

And when you said you were going to do a -- look at animals that might be in the Sugarloaf area, which would go probably down to the Branch area, out in that area, how do you catch those animals? I mean, it's almost -- it looked to me like almost a helicopter type operation to get them.

MR. SELLERS: Well, when we collect -- when I use the word collect, I mean lethal collection. We shoot them

CHAIRMAN O'HARA: Oh, you shoot them.

MR. SELLERS: on the head with a shotgun with buckshot, and they're dead instantly.

CHAIRMAN O'HARA: Oh, I see. So then you can look at them without

MR. SELLERS: And we do that, and it's not pleasant, but we do that so that we can get a total look at internal fat, percent fat in the bone marrow, and we limit that, you know. Generally you only collect ten at a time. That gives you enough statistical power to tell differences.

CHAIRMAN O'HARA: Yeah. Uh-huh.

MR. SELLERS: So if I say collect, that's a polite way of saying kill.

CHAIRMAN O'HARA: Uh-huh.

MR. SELLERS: If I say capture, then we're darting them with -- either with a net or darting them to catch them live and put collars on them.

CHAIRMAN O'HARA: You've had a pretty big increase of population on the Cinder River there, you know, the big, swampy area there, and you say you didn't have too good a calf ratio there?

MR. SELLERS: Right. Now, it hasn't really increased. Every spring since I've been around, there's been four to 5,000 there. Traditionally they've been pretty productive except this past May/June where they -- that group produced virtually no calves, and we don't have a real good explanation. Habitat -- they're the same caribou that winter around Becharof, so the winter habitat's no different than the ones that go further south for the most part.

CHAIRMAN O'HARA: Yeah. And then you talked about the vegetation within a geographical area, a small area that you've been looking at, and you see the animals, you know, grazing on the hillsides, and then you see -- you could almost, you know, set your clock by the amount of them that are down in the lakes eating the grass that's come through the ice, you know, you've seen them there. That's just as big a feeding area as any other parts of -- so what are your thoughts on that? Are we just -- are we lacking in habitat for these animals? Are they just running out of -- the food supply going away? Apparently that must have something to do with the decline in the herd?

MR. SELLERS: Well, it's certainly -- the winter range has seen heavy use over the last 20 years. If you were go to back in say prior to 1987, and you look at the difference between the vegetation on Whale Mountain versus Sugarloaf, which is the same climate, basically the same topography, there's a world of difference in terms of how many lichens were on

Sugarloaf. I mean, there were just huge carpets of lichens on Sugarloaf, and there are still some lichens on Whale Mountain, but nowhere near probably what there was back in the early 1950s when that population was starting to come back from an all-time low.

But if you talk to caribou researchers, and I'm not the world's expert by any means, but at least in the past there was always some skepticism about how critical lichens were to caribou health, because caribou eat a wide variety of foods. They eat a lot of sedges and grasses, and willow leaves in the fall, and lots of other things, and there have been cases where caribou have done well on ranges that didn't have any lichens, particularly reindeer in some areas. But in the last five years or so, that kind of general wisdom that maybe lichens aren't critical is starting to change a little bit, and I think more researchers are saying that range is probably a bigger factor in what caribou populations can do than they've previously thought.

CHAIRMAN O'HARA: The -- you know, we've been doing same-day as airborne on west of the Kvichak, which is on the Mulchatna herd, and pretty healthy cows in that area. They seem pretty fat and nice animals. The bulls aren't quite as good. They're not nearly as fat, but it would be interesting to see what they're like down here at the Alaska Peninsula herd, you know, see what those cows are like.

MR. SELLERS: Uh-huh.

CHAIRMAN O'HARA: Any other questions? Well, thank you, Dick. Appreciate that thorough report this morning, and we'll go on to the next agenda item them.

We're going to be taking a break at -- in about 20 minutes, because we have Togiak and Quinhagak probably going to call in on a testimony.

And I forgot to mention, too, if you do want to testify today, get the blue card if you would, and we'll be glad to work you into the program today. We have several now that would like to testify.

I think that's all we have, Helga, as far as staff reports go?

MS. EAKON: That is correct, Mr. Chair. So you would now turn the page over and start item eight, new business. Number (A), customary and traditional use proposals deferrals and the update on the Southcentral Regional Council proposal to classify the Kenai Peninsula as rural, and Tom Boyd is here to present that information.

CHAIRMAN O'HARA: Who -- Tom is here to do that? Okay. So that we can all -- this is proposal time now?

MS. EAKON: Actually we're going to move into proposals under 8(B), immediately after Mr. Boyd makes his presentation.

CHAIRMAN O'HARA: Okay. All right. Mr. Boyd?

MR. BOYD: Thank you, Mr. Chair. This is largely informational, and it's a follow-up to you from actions that you took in the fall, and I would refer you to tab five, I think page eight and nine of your booklets is sort of the backdrop for what I'm going to be presenting to you.

CHAIRMAN O'HARA: Tab five?

MR. BOYD: Tab five. I have pages eight and nine. It's the minutes from your last meeting. And item F toward the end -- I'm sorry, page eight and nine did I say? Yeah. At the bottom of page eight, beginning at (F), customary and traditional use determinations. That's just background information, if you want to refer to it when I'm speaking. Tab five, pages eight and nine.

CHAIRMAN O'HARA: Uh-huh.

MR. BOYD: Okay. The first item that I'm going to address is the customary and traditional use proposal deferrals. This past year as you're aware from the last meeting, we changed the process for doing c&t determinations., basically aligning

the c&t process with the process that we're going through in this meeting for changing seasons and bag limit regulations.

Because we had received a large number of proposals for customary and traditional use determination since the beginning of the federal program, we had requested that the councils prioritize their backlog proposals. Some councils did this in a general way, and some did it proposal by proposal. And you'll notice on page nine, about the middle of the page, there are the proposals that -- prioritization that you did during your fall meeting.

CHAIRMAN O'HARA: Page, tab?

MR. BOYD: Page nine.

CHAIRMAN O'HARA: Tab five, page nine.

MR. BOYD: Yeah.

MS. EAKON: Some of your pages are not placed right in your minutes. I noticed that. All of the pages are there, you may have to do a little bit of searching. They're not quite in order.

MR. BOYD: Okay. I'm sorry.

CHAIRMAN O'HARA: All right. Go ahead.

MR. BOYD: Okay. Just as a bit of some background, the priority setting was to be used to help the federal staff to do some workload management when we began looking at the proposals that we were going to receive this year. At that time, we didn't know how many we were going to get in, but we knew that we had over 200 backlogged proposals, so we were anticipating the need to defer some proposals, but we wanted to know which ones were the important ones to the Council, so that we could move those up on the list.

We went through a process of first trying to consolidate similar proposals from both those received this year and the

backlogs. We went -- we also called a number of the proposals from those who had -- proposers I should say from those who had submitted backlogged proposals to see if they still had concerns and wanted those to go forward, or if they wanted to essentially take those back.

Then we looked at your Council priorities, recognizing the staffing limitations may require us to defer some of the proposals. And for your particular Council this year, we included two of the c&t proposals in your priority list, number two and number three on your list, brown bear in Unit 9 and sheep in Unit 9(B). You're going to be considering those later in the meeting.

Your number one priority, rainbow trout and freshwater fish, was not included this year pending the outcome of the Katy John litigation that I spoke of last night. Essentially we don't have jurisdiction in navigable waters, and so it wasn't something we could really deal with anyway.

And your number four and five priorities were deferred for consideration during subsequent years, possibly next year. Both of those, priority four, black bear in Units 9 and 17, and beaver in Units 9 and 17, both of those are currently no determinations in the regulatory booklet, which means that all rural residents can harvest those animals under our regulations anyway, and they're fairly -- as I read them, they're fairly liberal seasons and harvest limits on those. So the idea was that we would defer those that would have the least or no, negligible impact on the subsistence users at this time, but take care of those that had high priority.

I'll just stop at that juncture to see if you have any questions. That's a quick overview of where we stand on your c&t priorities.

CHAIRMAN O'HARA: Okay. Is the panel agreed that the priority will be brown bear and sheep? Everybody agreed on that? That's no problem? Okay. Thank you. Continue on.

MR. BOYD: I also wanted to bring you up to date on the

Southcentral Regional Council proposal to classify the Kenai Peninsula as rural.

Under the federal program's initial attempt at doing customary and traditional use determinations, we had developed a process whereby we would establish a schedule to review and evaluate c&t proposals statewide by -- or customary and traditional use by area statewide. I won't go into detail on that former process that we had, but basically the Kenai Peninsula was one of the areas that we were doing first. And in the middle of doing that analysis of the Kenai Peninsula, we changed the process to the one that we're doing now, the one I just spoke to. But we didn't want to disrupt the process that was currently going on on the Kenai.

In that process, the Southcentral Regional Council had proposed that only certain communities on the Kenai Peninsula had customary and traditional use for moose in Unit 15. That proposal, because it was a fairly controversial one, we conducted approximately seven -- six or seven, I can't remember the number. A number of public meetings on the Kenai Peninsula in various communities last summer to get input on this proposal.

In the course of those hearings, or those meetings, we heard a number of comments about not only customary and traditional use, but about the rural determinations as well. And the kind of comments that we received were that all of the road-connected communities should be treated all the same, that they felt that there shouldn't be any difference in the way we were looking at one community or the other. Many felt that they were non-rural as opposed to rural. Some were concerned that we were pitting neighbor against neighbor by the way communities were differentiated. Some were in, and some were out simply by the way we may have drawn a line on a map. Some considered that a fairly arbitrary process.

And so that's kind of a general overview of some of the concerns that were expressed.

When the Southcentral Regional Advisory Council met in

September of this last year, they proposed to the Board that the entire Kenai Peninsula be rural. They had a lengthy discussion. They were concerned about

CHAIRMAN O'HARA: Who did that?

MR. BOYD: The Southcentral Council.

CHAIRMAN O'HARA: The Council themselves, the Advisory Council themselves

MR. BOYD: That's correct.

CHAIRMAN O'HARA: determined they wanted to do that?

MR. BOYD: Yeah.

CHAIRMAN O'HARA: Okay.

MR. BOYD: They were concerned that -- they were concerned about some of the comments they heard during the summer when they were dealing with the c&t issue, and they were particularly concerned about the concern about pitting neighbor against neighbor, and trying to figure out a way to treat them all the same. The staff didn't quite know how to proceed on this particular proposal. It was certainly outside of the call for proposals. Normally we deal with seasons and harvest limits, and customary and traditional use determinations, but rural determinations are usually not dealt -- Well, the way our regulations are constructed, rural determinations are done every ten years, and this was sort of outside of the call for proposals this year. So we were somewhat confused about that. Moreover, in some of the preceding Board meetings, Board members had expressed concern not only about rural determinations, but about the rural -- the process, the regulations themselves, by which we make rural determinations.

So the staff sought guidance from the Board on how to proceed on this issue. And in January 19th the Board met in work session to deal with -- and one of the primary agenda items

was to deal with this issue and to provide guidance to the staff on how to proceed in this issue. The Board essentially sent the proposal back to the Southcentral Council to reconsider. The first concern was that the proposals didn't line up with the preponderance of the testimony that they had heard in the summer meetings that they had conducted on the Kenai. Secondly, they felt that it was the Council's responsibility to be the forum for public involvement, and not the Board's, so they wanted the Council, if they felt that -- they felt, first, that the Council needed to receive additional public input perhaps on this issue, and so they sent the proposal back to the Council for reconsideration.

In the Council meeting that just concluded within the last two weeks I guess, the Council spent a couple of hours dealing with the Board's action on this. The Council reconsidered and decided not to proceed at this time. The Board had offered them -- if they wished to gather more public input on this, offered them an opportunity to -- provided them the logistical and financial and facilitative support to go and conduct any additional public workshops that they thought might be necessary for them to get input on this issue. And I think at this time they felt like they needed to maybe let this issue rest for a time, and that was the basis for not moving ahead on it.

And that concludes my report.

CHAIRMAN O'HARA: So that just comes back to ground zero with no -- with nothing at all happening really?

MR. BOYD: Not at this time.

CHAIRMAN O'HARA: Yeah. Okay. Any questions you have? Okay. Thank you.

Helga, what's the next item here?

MS. EAKON: Okay. At this time we will now concentrate on the proposals. We'll with Proposal 1, which is a statewide proposal, and Dave Fisher, our wildlife biologist, and Mike

Coffing, our cultural anthropologist will co-present this statewide proposal.

CHAIRMAN O'HARA: Okay. What we'd like to do right now is we're going to be in the red books?

MS. EAKON: Yes, we're going to be in the red books.

CHAIRMAN O'HARA: So everybody in the audience will know that the red books are what we're going to be using. Red.

MR. SAMUELSEN: In the red.

CHAIRMAN O'HARA: In the red, yeah. That's par for the course. And we're going to take a break. So we're going to be doing Proposal 1?

MS. EAKON: Proposal 1, and then

CHAIRMAN O'HARA: Okay. And we'll work into Proposal 1. You can get your table set up for your phone calls. And maybe we need to talk about public comments, too. Okay? Do you want to take ten minutes, guys? Ten-minute break.

(Off record)

(On record)

CHAIRMAN O'HARA: I think we'll start working our way back in here and we are going to be having perhaps a call come in on some public testimony from the outer regions. But we're going to start with the proposals right now, and when that call comes in, we'll go ahead and turn right to that and handle it. So, Helga, could you lead us into our first proposal this morning?

MS. EAKON: Okay. Actually Mike and Dave were going to co-present this. And then when they get through, I will brief you on the written public comments that we received on this proposal.

CHAIRMAN O'HARA: Okay. That will be great. Gentlemen, you're on.

MR. COFFING: Thank you, Mr. Chairman. My name is Mike Coffing with Fish & Wildlife Service, Subsistence. I'm working out of Bethel office.

Mr. Chairman, in the interest of keeping brief, but also complete, I am not going to -- I don't anticipate going through the proposal analysis and reading it. You have that in front of you. I think what I will do is summarize the high points in the analysis, and the preliminary conclusions and the justification, and then Dave will fill in here for things that I don't catch, and then we'll field questions here.

CHAIRMAN O'HARA: We're on page three of Proposal 1?

MR. COFFING: I'm on page three, that's right.

CHAIRMAN O'HARA: Okay.

MR. COFFING: The draft staff analysis for Proposal #1.

CHAIRMAN O'HARA: The red book.

MR. COFFING: In your red book there. Okay. How are we doing now, can you hear me all right?

This proposal was submitted by the U.S. Fish & Wildlife Service, and this proposal is a statewide proposal. It would allow the taking of wildlife from motorized land or air vehicles on federal public lands in all units, so long as that vehicle is not in motion.

CHAIRMAN O'HARA: Meaning you can't shoot from a moving four-wheeler, is that what it's talking about, or shooting

MR. COFFING: That's right.

CHAIRMAN O'HARA: from the air, that type of thing? Yeah.

MR. COFFING: A moving snow machine, four-wheeler, anything else.

CHAIRMAN O'HARA: Or airplane.

MR. COFFING: Or airplanes.

CHAIRMAN O'HARA: Okay.

MR. COFFING: That's correct. The proposal would not change the existing regulations with respect to the taking of wildlife from a boat, with the exception that as I read -- as I'm looking at the proposal, the proposal would not require -- let me see here. The proposal would not require that the boat's motor be shut off.

So maybe -- I think maybe one way to let you know what this is going to do, is tell you how it is now and how it would be if the proposal was adopted. Currently the federal regulations prohibit the taking of wildlife from a motorized vehicle. There are some exceptions to that, and those exceptions are primarily in the northern and northwest part of the State, Units 22, 23, 25, and 26. Since 1984, the state regulations have permitted, I'm talking about the state regulations now, the state regulations have permitted the taking of game from a motorized land or air vehicle as long as the vehicle was not moving, and as long as the vehicle's engine was shut off.

Now, the federal regulations weren't quite as liberal. The federal regulations did not allow you to shoot from a motorized vehicle, and the federal regulations also require that the motor be shut off. An example would be if you're out caribou hunting on a snow machine and you see caribou, and you stop on your snow machine, and you're using your -- you want to use your windshield or your handlebar as a rest for your rifle. That would not be allowed under the current federal regulations. If this proposal was adopted, you would be able to sit on a non-moving snow machine, for example, use your windshield, your seat, your handlebar as a rifle rest to better position you for

shooting, and then shoot the animal.

The current federal regulations also require that when you're in a boat that before you can take an animal from a boat that the boat not be moving, and that the boat's motor be shut off. And again if this regulation, or this proposal were adopted to regulation, it would be very similar to the state regulations, except that it would allow you to leave your motor running on a boat. The state regulations still require that the motor be shut off. This proposal would not be quite that restrictive.

CHAIRMAN O'HARA: This is talking about -- what's the difference between game and birds? I mean, you know, you can't chase a duck down the creek and shoot him with your boat moving and your motor running, in other words, you're chasing that duck.

MR. COFFING: Well, you can't chase any wildlife with a motorized vehicle and shoot from a moving vehicle. So the difference would be if your boat is parked, your motor is running, currently you can't shoot from the boat.

CHAIRMAN O'HARA: Okay. So you

MR. COFFING: The proposal would allow for that.

CHAIRMAN O'HARA: You go ashore, shut off everything and then get out and shoot your animal?

MR. COFFING: Yes.

CHAIRMAN O'HARA: All right.

MR. COFFING: The last paragraph on page three kind of sums it up here. It says there do not appear to be any valid reasons to prohibit the taking of wildlife from a stationary motorized vehicle, motorized land or water vehicle, as long as that vehicle can be used legally to access the area where people are hunting. There also do not appear to be any valid reasons to require that the engine be turned off, except that it would

be consistent with the state regulations to require that. That's the only valid reason that's stated here. In some situations, a show machine or a boat can provide a very stable shooting platform, and maybe an element of safety involved in actually hunting and taking the animal. And this proposal would incorporate more customary and traditional practices and those that are more relevant. The more relevant regulations are to what people are doing out on the land subsistence hunting, the more likely that people will be able to comply with the regulations when they're out there.

As far as hunting from a car or from a road, these federal regulations and this proposal would not change the fact that the regulations currently prohibit and will continue to prohibit shooting from or across a highway, the drivable surface of any road, and the use of a motorized vehicle to drive, herd or to molest wildlife.

The conclusion is to adopt the proposal to allow the taking of wildlife from a motorized vehicle, motorized land or air vehicle, as long as that vehicle is not in motion, and as long as that vehicle can be used to legally access the hunting area. There appear to be no valid reasons to prohibit such use. Providing for such uses in all units, and this would be statewide, for all species and for all types of vehicles, is preferable to taking it on a piecemeal basis where we might have proposals coming in for specific units in the future, and then have to deal with those later. The thought is it's better to do it all now statewide.

I'll let Dave add anything he might have, and then we'll answer any questions that the Council might have.

MR. FISHER: Yeah, thank you, Mike. You did a good job on that. I'm kind of took the lead. It's kind of a confusing proposal.

Just two things. Basically it's going to align, make federal regulations more consistent with state regulations, and all other Regional Councils have supported the proposal. And be interested to see what you fellows do. Thank you.

CHAIRMAN O'HARA: Okay. Thank you. Helga, did you want to at this time address public comment that you might have received?

MS. EAKON: Yes, Mr. Chair, the program received three written comments on this proposal.

The Alaska Department of Fish & Game opposes this proposal. They would support continuation of the existing regulations that prohibit taking of wildlife from a motorized vehicle, and recommend -- the Department recommends that exceptions continue to be made only on a case-by-case basis.

The program received a letter of concern from the Alaska Wildlife Alliance of Anchorage, Alaska. Their concerns are that allowing this to go forward would create opportunities for harassment, illegal pursuit, and wildlife poaching. They have concerns about vehicles creating air and noise pollution, destroying fragile terrain, and providing an unfair advantage for some hunters. And their recommendation is that the Board work to prevent damage to wildlife and habitat by maintaining strong monitoring and regulatory oversight of these machines.

And last, but not least, a Ms. Kathryn Kennedy of Ninilchik, Alaska, said yes to this proposal.

CHAIRMAN O'HARA: Okay. You just said that, over here, Dave and Mike, that you could -- this makes everything, federal and state regulations come into, you know, they're both the same on this, and then the Alaska Department of Fish & Game opposes it? John, did you want to address that? Maybe get a microphone and come up here and -- that's a little confusing when we have the fed and the state coming together, and then another department says no. Give us your name so that the recorder

MR. MORRISON: I have a standard speech well-rehearsed and exercised by now. I've been -- this is the fifth council meeting I've been to this spring, and at every one of them I've given this same explanation. That when the proposals first came

out, the last sentence in that first paragraph of the proposed change that's all shaded, the last sentence had a line through it, like the first sentence, which would indicate that the proposal was intended to allow shooting from a moving vehicle. And that's what we responded to.

Later the corrected version of the proposal came out without that line through that second sentence.

CHAIRMAN O'HARA: Without the line through it?

MR. MORRISON: Yeah.

CHAIRMAN O'HARA: Okay.

MR. MORRISON: And somehow I forgot to call up the Federal Subsistence Office and say, hey, change our comment. And consequently it's been carried through all these council meetings, and I've had to explain time after time after time that we do not oppose it.

CHAIRMAN O'HARA: All right. Thank you very much. Appreciate that.

I think we're -- we don't have anybody else to come before us on this proposal? So it's now up to the Council here to determine what they want to do. What is the wish of the Council?

MR. HEYANO: Mr. Chairman?

CHAIRMAN O'HARA: Yes.

MR. HEYANO: I move that we adopt Proposal #1.

CHAIRMAN O'HARA: Okay. Second?

MR. LaPORTE: Second.

CHAIRMAN O'HARA: Okay. Tim LaPorte seconded it. Robert Heyano made the motion. Any more discussion on this #1

statewide proposal? Yes?

MR. HEYANO: Yes, Mr. Chairman. Speaking to the proposal, I think it brings in line with the current state regulations are, with the exception that the difference I see is that the state doesn't allow the motor to be running. The federal proposal will allow that. You know, I -- and I think that's -- to me it's a very minute point. If a person's going to be using the vehicle as a shooting platform, I'm assuming he'd want the motor off anyway. You know, I think the enforceability of having the motor off is basically the officer's going to have to be in the field present there, and I think the chances of that are very remote, so based on that I'll vote in favor of the proposal.

CHAIRMAN O'HARA: All right. Yeah. Any other comment to the proposal?

MR. STEPANOFF: Yeah. Speaking of this motorized vehicle, it doesn't seem like, you know, if you shot an animal, and you have to swim across the river to go -- if you wounded it, you have to swim across to go get it, without the vehicle running. I mean just to go across the river or something, or up the river, whatever, you know. You have to get it somehow.

CHAIRMAN O'HARA: Yeah, and I think this clarifies that, to make it workable. There's a lot of times when it's not practical to rest your gun on a four-wheeler or a snow machine, if it's windy, and a lot of times it's really difficult shooting from a boat, especially a moving boat or -- so I think this is a practical thing that we can deal with.

Any other discussion from the members? I think it's something that other Councils have endorsed, and I don't have any problem with it.

MR. HEYANO: Question.

CHAIRMAN O'HARA: All in favor say aye.

IN UNISON: Aye.

CHAIRMAN O'HARA: Opposed?

(No opposing responses)

CHAIRMAN O'HARA: Okay. It's done. Thank you. Okay. Helga, the next proposal?

MS. EAKON: The next proposal is Proposal 29, brown bear in Unit 9, and Mike Coffing has the lead on this.

CHAIRMAN O'HARA: Okay.

MR. COFFING: Yeah. Thank you, Mr. Chairman, Council. The proposal analysis is on page six of your red book there. Proposal 29 was a proposal

(Phone rings)

CHAIRMAN O'HARA: Yeah, if you could just hold one second there, Mike, while we see what happens here.

MS. EAKON: Yes, this is Helga.

UNIDENTIFIED VOICE: Hi, Helga. I have Anthony from Quinhagak on the teleconference. I cannot reach anyone in Togiak. They don't know who's supposed to attend. I tried calling them back, and their line is busy, so I can't get

MS. EAKON: I think we're okay on that, because we do have a gentleman, Gary Carlos, here to testify in person. So we are ready to take the person from Quinhagak's testimony, Ellen.

UNIDENTIFIED VOICE: Yes. Okay. I'll go ahead and release him to you then.

MS. EAKON: Thank you, Ellen.

UNIDENTIFIED VOICE: You're welcome.

CHAIRMAN O'HARA: Quinhagak, can you hear us?

MS. EAKON: Hello?

MR. CAOLE: Hello.

CHAIRMAN O'HARA: Okay. Quinhagak, this is the Federal Subsistence Advisory Board meeting in King Salmon, and you wanted to make a comment to us today. Can you hear us?

MR. CAOLE: Yes, I can.

CHAIRMAN O'HARA: Okay. Go ahead and speak. Give us your name?

MR. CAOLE: My name is Anthony Caole, I'm the tribal administrator for Quinhagak, and I'm waiting for President Mr. Bavilla to come in. He hasn't come in yet.

But we wanted to comment on the proposal to open moose hunting in Unit 17(A), and Quinhagak is in support of that proposal, because many of our residents here have traditionally hunted in that region, and our community has strong ties to Twin Hills. Part of our relatives are living in Twin Hills, and so we are often hunting in that region.

CHAIRMAN O'HARA: Okay. Anything else?

MR. CAOLE: That's mainly what we have to say.

CHAIRMAN O'HARA: Okay. Would it be okay if any of the Council members here wanted to ask you questions? Would that be okay?

MR. CAOLE: (No audible answer)

CHAIRMAN O'HARA: Council members, do you have any questions for this caller from Quinhagak? Okay.

MR. SAMUELSEN: Yes. Besides Quinhagak going over in 17(A) and hunting, does Eek go over there, or any of the other villages, Goodnews, Platinum, Napaskiak, to your knowledge?

MR. CAOLE: Are you asking me, sir?

MR. SAMUELSEN: Yes.

CHAIRMAN O'HARA: Yes, we're asking you.

MR. CAOLE: I think that probably Quinhagak has more of a tradition of hunting in that region. I think that the residents of Eek have -- are more accessible to other areas. They're getting pretty far north.

MR. SAMUELSEN: Okay.

CHAIRMAN O'HARA: Any other questions for Quinhagak this morning on this proposal for hunting in 17(A)? Robert?

MR. HEYANO: Yes, I have one. Are you aware of the current condition of the moose population in 17(A)?

MR. CAOLE: We don't know the exact numbers right now, no.

MR. HEYANO: Okay. Thank you.

CHAIRMAN O'HARA: Okay. Any other questions from the Council members? Give us your name again if you would, please? I missed that. Quinhagak, what was your name again, please?

MR. CAOLE: My name is Anthony.

CHAIRMAN O'HARA: Okay.

MR. CAOLE: My last name is C-a-o-l-e.

CHAIRMAN O'HARA: Okay. Thank you, Anthony. We are going to be dealing with

MR. CAOLE: Okay. Quyana.

CHAIRMAN O'HARA: Excuse me, go ahead? Go ahead?

MR. COFFING: He said thank you.

CHAIRMAN O'HARA: Okay. Well, thank you very much. We'll be dealing with 17(A). We're going to be looking at the moose population there. I think we have some concerns about maybe taking moose in the off-season. We have some concerns about the population, the number moose in that area, so I think it's going to be a good issue for. We really appreciate your taking the time to call in. Okay?

MR. CAOLE: Okay.

CHAIRMAN O'HARA: Thank you, Anthony.

MR. CAOLE: Thank you. Good-bye.

CHAIRMAN O'HARA: Good-bye. Well, that was a good connection, Helga. I appreciate that. Okay.

We're still in the middle of a proposal here. Mike, you're on.

MR. COFFING: Yeah, Mr. Chairman and Council, thank you. Again, I'm on page six of your proposal analysis book. This is Proposal 29. This is a proposal -- the Council may recall that last October when you prioritized your proposal list, there were several that dealt with brown bear in Unit 9, and as a result of that, we compiled several of those brown bear proposals into one from the Council, and that was Proposal 29. It would request a positive customary and traditional use determination for brown bear in Unit 9 for residents of Unit 9.

As I began to prepare the usual eight-factor analysis, I became aware that in looking through the data that there was not -- I could not find a lot of new information to use for describing subsistence uses of brown bear in Unit 9 beyond what we already knew. And so as a result of that, I did not do the usual eight-factor analysis here. So this is going to look a little different than your other c&t analysis you're going to be seeing today.

As I mentioned, there were several proposals. Beth Joy Abalama, John Knutsen, Bristol Bay Native Association, and Alaska Peninsula/Becharof wildlife refuges backlog proposals, those were aimed primarily at adding Egegik to the eligibility list for brown bear hunting in Unit 9(E), and for including Naknek and South Naknek for a new determination for Unit 9(C). And along with that was to consider any other uses anywhere in Unit 9 by any other residents, rural residents.

Table 1 gives you some idea of the amount of the federal land there is in Unit 9, broken down by subunit. Approximately 50% of all the land in Unit 9 is under federal jurisdiction, a combination of national wildlife refuges, parks, national monuments and so forth. Much of Unit 9(C) is under federal management, a little bit more than 84% of it. That's probably the largest block of federal land here in Unit 9, or at least the largest percentage.

Now, the current eligibility determinations that the federal regulations have for brown bear in Unit 9 were adopted from the State Board of Game determinations. The Board of Game determinations were made a couple different times. In 1987 the Board of Game determined that residents of Unit 9(B) have customary and traditional use of brown bear in Unit 9(B). Later, in March of 1989, the Board of Game determined that residents of Chignik Lake, Ivanof Bay and Perryville have customary and traditional uses of brown bear in Unit 9(E). At that March meeting, there was also a determination made by the Board of Game that there were no customary and traditional uses of brown bears in Unit 9(A), 9(C) and 9(D). And that's currently what we have under the federal regulations. They were simply adopted from the existing state regulations.

Since those determinations were made, since 1989, the Department of Fish & Game, Subsistence Division, has conducted additional community-based surveys to gather information from communities on a variety of subsistence related topics and issues, including uses of brown bear, when they conducted their harvest surveys. So we have additional information from actually 13 of the 25 communities in Unit 9 since those

determinations were made. Table 2 gives you some idea of what that Subsistence Division, Department of Fish & Game data shows.

Now, you'll see several communities that aren't listed there, and typically the ones that aren't listed there, many of them are Unit 9(B), but it focuses primarily on those studies that were conducted after the Board of Game determination in 1989. Any additional, any new information that might be available.

That data indicates -- you know, you can see -- you can go down through it there for each one of those and you can see which communities were using and hunting, receiving and giving brown bear there.

Another source of information was the harvest ticket information, bear sealing records for Unit 9. Some of that is presented in Table 3. Sealing records in Table 3 are from 1960 to 1995, and those records indicate that really every community in Unit 9, except Ivanof Bay, was reported harvesting brown bear. And I guess I would mention here also that in many parts of rural Alaska, sealing records, harvest tickets may not necessarily represent what's actually happening with subsistence harvest activities for several species, and brown bear is probably one of those.

The harvest records also indicate that residents of Dillingham, False Pass and Unalaska have hunted brown bear in Unit 9.

Also in Table 3, in addition to the harvest sealing records summaries for each of the communities, there's some subsistence study information summarized there. And essentially the harvest ticket data is that located under 9(A), 9(B), 9(C), 9(D), and 9(E). And that shows for each community the number of individuals that reported hunting brown bear in Unit 9 in those subunits. The columns to the right, do subsistence studies indicate harvest effort, do subsistence studies indicate that brown bear is used, and the percent of the households using brown bear, come from Division of Subsistence, Department of Fish & Game studies primarily.

Now, the data that I could find did not point strongly to a conclusion that there were a lot of communities that should be included or added to the current eligibility determination. There was some information from Egegik that came through the refuge here that indicated that residents of Egegik have customs and traditions related to brown bear hunting for subsistence. They indicated, and this was through verbal communication, that they hunted tributaries to the Island Arm in the Becharof Lake area were used for subsistence brown bear hunting in the past. And they have also provided information describing the uses of brown bear for food, for methods of processing bear meat, and how they teach younger hunters the skills needed to become successful bear hunters.

Currently there is a project in the works that's been going on for a while through a cooperative agreement between the U.S. Fish & Wildlife Service and the Bristol Bay Native Association, and one element of that cooperative agreement that Mr. Krieg spoke briefly about yesterday was a component that is gathering information of subsistence uses from 12 communities along the Northern Alaska Peninsula. The focus is to gather information on the harvest and use of large game animals, primarily moose, caribou and bear. I believe that much of the field work has been completed for that. There is still a little bit of the field work component that needs to be done. But before long, we should have some current information, relatively current information that would describe harvest effort, harvest quantities, harvest locations, areas where people use and hunt for brown bear from 12 communities.

So what we're suggesting here as a conclusion is to at this time defer action on this proposal until we have the data from the cooperative agreement available, until we have that data that's going to be more current, and will give us a better picture of subsistence uses of brown bear by people living in Unit 9. Results from that data should be available or should be probably written up sometime in May. We think that that data is going to be necessary for the Council and the Board to do justice on what, you know, the recommendation would be for subsistence uses of brown bear in Unit 9 here. So the

preliminary conclusion is to defer action at this time, take it up later when we have more current information. And as I said, we're right on the edge of that, but we just don't have it now, and we will soon.

I'm going to stop there. I'll let -- if Dave has anything to add, or Helga, I'll let them. If not, I'd be happy to answer any questions you might have. Thank you.

CHAIRMAN O'HARA: Thank you. Dave, do you have any comments?

MR. FISHER: No, I have nothing to add.

CHAIRMAN O'HARA: Helga, do we have anything in the way of public input on this?

MS. EAKON: Yes, we received on written public comment on this proposal, and that came from the Alaska Department of Fish & Game. And their comment was that the Department has no evidence that brown bears are presently used for subsistence in Unit 9(D). They state that there is virtually no use of brown bears in Unit 9 outside of the communities for which a positive c&t determination has been made.

CHAIRMAN O'HARA: All right. Okay. What are the wishes of the council?

MR. KLUTSCH: Mr. Chair?

CHAIRMAN O'HARA: Uh-huh. Joe, are you wanting to testify on this proposal?

MR. KLUTSCH: Yes. Actually I had -- on my sign-up sheet, I put Proposal 30,

CHAIRMAN O'HARA: Yeah.

MR. KLUTSCH: and it was this proposal I meant to comment on.

CHAIRMAN O'HARA: Come on up and talk to us. I didn't mean to exclude you from it. I just saw 30 down there, and we hadn't gotten to it.

MR. KLUTSCH: Yeah, that was my fault.

CHAIRMAN O'HARA: Okay. No problem.

MR. KLUTSCH: Thank you. Mr. Chairman, my name is Joe Klutsch. I had the opportunity to address the Council last year on a number of proposals, and at that time I related my background, living here in the community over the last 25 years, and working as a hunting and fishing guide and also trapping many years on the Peninsula as well, so I won't go into the -- most of you are starting to know who I am.

I'm interested in commenting on this proposal for several reasons. First of all, this proposal would establish a customary and traditional finding for brown bear throughout the entirety of Unit 9, and as this gentleman has testified, determinations were made by the state based on village surveys that G.D. Morris did with the State Division of Subsistence back in the mid and early 80s. A number of the communities did not indicate any subsistence brown bear use; however, newer and updated surveys may indicate that there is use.

Presumably this determination would lay the groundwork for establishment of subsistence hunting regulations on Federal lands in the future. Changes in the current regulation would qualify all unit residents for bear hunting privileges, and if not approached carefully, this could result in significant changes in the current management scheme.

And one of the things that I'm real confident in is that we have one of the best management schemes for brown bears in the world right now. I attended a conference in Victoria, B.C. last year on brown bears. There were people from Russia and Hungary and Poland and everywhere in the world where brown bears are, and they were really astonished to find out how thorough our management system is here.

What concerns me, one of my primary concerns is that an over c&t determination and a subsequent regulation what would qualify all rural residents of Unit 9 could have the unintended effect of really altering the allocation formula for bears, and, of course, like many of you folks in the commercial fishery, I rely on an allocation of brown bears. I'm concerned that a number of people who might qualify might be taking bears not really for the purpose of legitimate subsistence uses, but instead just to take advantage of the opportunity to hunt bears possibly on an annual basis, and not for subsistence purposes. But because they live within the unit, or even had zip code residency here, they qualify for hunt.

We see a number of folks in this community that will just get in under the wire and maintain a six-month residency. A bunch of them are in Highland Estates, Illinois, right now, or Sarasota, Florida, or wherever, and they might be eligible to come up here and qualify to hunt. And this could really affect the whole allocation and management scheme.

They faced this, the Kodiak and Aleutian Council had to address this issue I guess it was two weeks ago. Their brown bears are on permit drawing. And any additional allocation for subsistence would have to come out of the available non-resident pool. And we're talking about qualifying all the residents of the Municipality of Kodiak, many of whom, the folks in the villages even felt, it wasn't the intent of Title VIII of ANILCA to qualify these folks to take brown bears every year. But because of a series of court rulings, as you're well aware, the qualifying provisions of ANILCA have been severed. You can qualify by being rural, but you don't necessarily have to be traditional and customary with direct dependence. In the Kenaitze decision, it's the other way around. So we haven't tied these qualifying provisions together. And one of the alternatives -- I believe they deferred that c&t determination on Kodiak.

And the State, I have a letter which I'll also give you, from our Director of Wildlife Conservation, Wayne Regland, also Frank Ruhle, the Commissioner of Fish & Game, which offered that the State has a provision in statute currently, 5 AAC 29.034,

which allows the Commissioner of Fish & Game to issue permits to take game for cultural and educational purposes. And under this state provision, State Board of Game could do this. They could qualify residents of communities either by village quotas or by individuals without having to qualify all Unit 8 residents, or let's say Unit 9 residents. In other words, you're going to be able to focus the subsistence harvest to true subsistence users. And this provision is available in state law, and at least the current regime in Juneau is anxious to offer this as an alternative. It's available irrespective of what you decide to do with this c&t determination, or any future seasons that you might -- or regulations that you might build upon that c&t determination. So that option is there for legitimate subsistence purposes. It's one option. This is out on the table now.

Again, just to summarise (sic) my comments, we have a good management scheme for brown bears, one of the best in the world right now. I wouldn't want to see the apple cart upset. I think legitimate subsistence needs can be met, but this has to be approached very, very carefully, and certainly from my perspective and the allocation that myself and -- there's at least six or seven of us in the Naknek/King Salmon area who work together. We rely on his resource just like you rely on your commercial fishing. And we've never had a conflict out there in the field with subsistence users. We'd like to request that you approach this real carefully and take our livelihoods and our lifestyles into consideration when you review this proposal.

CHAIRMAN O'HARA: Is that it, Joe?

MR. KLUTSCH: Yes.

CHAIRMAN O'HARA: Okay. Thank you very much. Robin?

MR. SAMUELSEN: Yeah, Joe, I classify myself as a subsistence hunter, and under the general provisions of the state, can't I go out and get -- as a sport hunter, can't I go out and get a brown bear, what, every three years or every four years currently?

MR. KLUTSCH: Yes, every four.

MR. SAMUELSEN: Yeah. Which I've never done. And I know a lot of people that have never done it. If they classified it as -- if they found a c&t on brown bear, what makes you suspect that subsistence users, just because they've got a classification of a c&t classification, that they'd want to go out and harvest a brown bear? Or is it just kind of paranoia?

MR. KLUTSCH: I guess you might describe it as paranoia. I don't feel it's -- let me try and restate my concern. It's that there are a number of folks who would qualify under a general c&t determination, and that ultimately the Council could recommend to the Board adopting a regulation that would qualify all Unit 9 residents to harvest brown bear, perhaps even on an annual basis. There are a number of folks who have residency here, or zip code residency here who would probably be first in line to take advantage of that opportunity, and it would not be for legitimate subsistence purposes, but they qualify, because they're rural. And this bear population right now is being utilized at I guess you could say a optimum sustained yield level, give or take 20 bears on a spring or fall season, that there's not a lot of room for adjustment on this population in terms of level of harvest. Certainly that's the case on Kodiak where they're already on permit drawing. There's no place any additional bears can come out of except out of the non-resident harvest pool.

My concern is that whatever comes down the pike here in the way of subsistence use of this species be focused, and it's these qualification provisions that concern me. I don't think that what we're dealing with now because of court cases really reflects what Congressional intent was when they passed Title VIII of ANILCA. Is that coming out right?

CHAIRMAN O'HARA: Yeah. Robin, you still have the floor.

MR. SAMUELSEN: Yeah. I'm done.

CHAIRMAN O'HARA: Okay. Any other questions of Joe? Joe, I see your concern that we just open-end Unit 9. However, this Council has recommended taking of bears, which we're going to be dealing with a little later on with Lee Fink from up in the Lake Clark area. That has worked fairly well. I don't think, you know, that we just open the whole thing up and go get a bear any time you want.

And I'm like Robin, you know, if a wolf walked across my yard, I wouldn't shoot it. I don't have any intention of -- I don't need a wolf. I certainly don't need a brown bear.

I think maybe you might be indicating that there would be misuse of this animal by residents of Unit 9 who might even go into the guiding business or use that animal for something other than going out and fixing it up like Peter does with his barbecue sauce. And I think that's the issue. When it comes down to drawing the lines on whether a c&t finding determines my 82-year-old mom who used to eat brown bear, and I used to eat, and I just disliked it intently. You know, I don't like brown bear at all, and I wouldn't want to eat it again. Give me that rib-eye steak, okay? I'll go for that big time.

But if it ever came down to eating brown bear again, that we could, if it come down to probably trading off whether you're going to get a bear for your client versus Alex Alvares getting a bear for c&t, it could be a pretty tough decision. But I don't want to see this thing open-ended, that people, you know, misusing that finding, because we made a ruling that everybody in Unit 9 does have an opportunity to go out and get that animal.

This Council, I believe, is probably going to be looking at the numbers pretty carefully before we start giving away our resource. That's my -- of course, this Council may change in three years, too.

MR. KLUTSCH: One point, Mr. Chairman, that I neglected to mention, and this was discussed at some length in the Kodiak proceedings, the state option of issuing these permits would open private and state lands for the taking of subsistence

bears, and that's most of the lands that's close into the villages, as opposed to having to travel some miles by boat or airplane or whatever other means to go on refuges. And I know that folks from Old Harbor and a couple of the other villages really like that idea. Some -- and some of the village land holders over there are selling trespass privileges for non-resident hunting as well, and they didn't want to see the loss of those revenues because of a wholesale opening. Just a couple other aspects of that state option that we might want to consider.

CHAIRMAN O'HARA: Any other -- yeah, Robin, did you have a

MR. SAMUELSEN: Just a comment. You know, we waited 30 years to open up Walrus Island, and it was at the discretion of the Commissioner of Fish & Game. Once Carl Rosier was gone and Frank Ruhle came in, the paper was signed. And it's just a matter of opinion of a commissioner, and I'd hate to see the people of Bristol Bay held hostage of an opinion of a commissioner. And that particular provision at times works, but it seems historically it's worked against the people of Bristol Bay, the commissioner's authority.

MR. KLUTSCH: It depends on the commissioner.

MR. SAMUELSEN: That's right.

CHAIRMAN O'HARA: Any other questions or comments for Joe? Joe, thank you for coming before us today, and we'll take that into consideration.

Okay. Yes, in the back there.

MR. DENTON: I would like to make some comment, because I think the

CHAIRMAN O'HARA: Okay. We'll get you next, John.

MR. DENTON: My name is Jeff Denton. I'm with the Anchorage District, Bureau of Land Management.

And basically my comments here are to have you folks bear in mind that federal public lands, and the distribution of those lands relative to the distribution of bear harvest is something that is real critical to this issue. If you'll look at the ownership maps here, the federal lands are either -- especially BLM lands, are very scattered, very inaccessible, and they're not good bear habitat. And our concern is potentially people seeking out federal public land that is not especially high bear density areas and concentrating harvest in those areas, and having potential over-harvest of bears.

Also, very important, in 9(C) your statistics in Table 1 show 84.3% public land, but the land that is available for the federal subsistence taking, or federal public lands is more like 16%. It's a very small area. It would concentrate subsistence uses in very small areas and potentially over-harvest bears at vulnerable times.

These are some of the issues. This is not a simple issue. It's kind of -- the management of bears for subsistence relative to federal lands needs to be somewhat surgically managed. There's areas where that harvest is going to occur on federal public lands. We've got to be very carefully in those localized areas not to do it excessively, because people will have to seek out the federal public lands to do that hunting, and most of those areas are fairly limited where the bears are readily accessible for that harvest.

And so this is a recurrent theme throughout Alaska is the ownership patterns relative to where the subsistence activity really occurs is becoming a very critical issue. Most of the bear harvest doesn't occur on the federal public lands. And the I guess responsibilities of native corporations and the bear habitats and some of the subsistence takes that really is probably coming off of those lands becomes a much more important issue than the federal lands.

Thank you.

CHAIRMAN O'HARA: Yeah. Any questions of Jeff?

John Morrison, you wanted to come up and talk to us?

MR. MORRISON: It kind of resembles a game we used to play when we were kids called musical chairs, except without the music.

You saw our full comment on this proposal. We indicated that this is a preliminary comment and that we would give the final comment later. The reason for this is partially explained in the introductory paragraph of the full set of comments that we sent to the federal office in which we explained that the Department is basically neutral on the c&t determinations that are being entertained by the Councils and the Board this year. And that same philosophy will prevail for all the rest of the proposals.

The reason for that is that our Subsistence Division was wanting to withhold any firm and final opinion on these c&t proposals, partly because some of them came in without any information about them in the beginning, and then we decided it would be best to withhold comment until we had a chance to see the staff analysis and see how the Department's information was going to be used in making the analyses. If you've noticed, on many of these proposals the Fish & Game Department's information is a very important basis for the staff analyses. So by the time the Board meets at the end of April, we will hope to have a more complete and a more exacting opinion to make on some of these proposals.

Joe Klutsch brought up the possibility of this cultural and educational permit which is new, passed by the Board of Game last year. I want to caution everyone to understand this is not a subsistence permit. It is not available just to go out and take an animal to take home and eat. As the title of it indicates, it is a cultural and educational permit that is issued at the discretion of the commissioner, as Mr. Samuelsen's pointed out, but the baggage that comes with it is that the applicant will have to show a fairly acceptable justification that it is truly for cultural and educational purposes. Now, that does not mean that the remains of the animal cannot be

consumed in a subsistence fashion, but it is not being issued specifically as a subsistence opportunity in the sense of getting a resource to utilize. It has its advantage that it supplies the opportunity for a lot of subsistence oriented people to do the teaching of the tradition that they desire in a more flexible schedule, but it will not be handed out in numbers that would suffice to satisfy a wide spread subsistence desire. So I wanted to clarify that.

Thank you.

CHAIRMAN O'HARA: Okay. Any questions for John? Okay. Thank you.

Helga, do we have anyone else that needs to address this Proposal 29? Oh, Ted?

MR. KRIEG: I didn't have a slip in,

CHAIRMAN O'HARA: Sure. Go ahead.

MR. KRIEG: but I just felt compelled to make a few comments. I understand -- oh, Ted Krieg, Bristol Bay Native Association, Natural Resource Department.

I understand Mr. Klutsch's concerns about seasonal residents that qualify as subsistence users, and it seems like those are primarily fishermen. And I've heard concerns about -- I mean, I necessarily -- haven't necessarily heard concerns about brown bear, but people are concerned about caribou, and people fishing set net sites that they're not even sure exactly, you know, what's going on when they're out fishing and what these -- you know, the set netters are doing as far as hunting caribou.

But I guess I'm just concerned about the year-round residents, the real, you know, subsistence users, and, you know, over-regulation, permits and all of those things which make it hard for, you know, a person to live a true subsistence life style. And I guess that's basically all I had to say unless anybody has questions.

CHAIRMAN O'HARA: Yeah. Any questions for Ted this morning? Thank you.

Okay. I think it's time for the Council to determine what they want to do on this proposal. Helga, was there anything else that we needed to address now before we make a decision?

MS. EAKON: No, Mr. Chair.

CHAIRMAN O'HARA: Okay. All right. What's the wishes of the Council at this time? Yes?

MR. SAMUELSEN: Mr. Chairman, on Proposal 29, I move to defer action.

CHAIRMAN O'HARA: Is there a second?

MR. HEYANO: Second.

CHAIRMAN O'HARA: Okay. Would you like to speak to your proposal? I mean, your motion?

MR. SAMUELSEN: Yes, Mr. Chairman. Staff has indicated there's presently a cooperative agreement between the Bristol Bay Native Association to conduct a large mammal survey, harvest -- subsistence survey, which that report should be available to us by fall, our fall meeting. So I'd like this proposal delayed until fall until we have the best available data in front of us.

CHAIRMAN O'HARA: Yes. Any other comments from the panel? I think that 13 of 20-some communities have not yet responded, all the information is not there. I think it's a great idea. Call for the question?

MR. HEYANO: One further comment or request, Mr. Chairman, is along with some additional information then for our fall meeting, if we can have the survey data. I hope the survey's going to take into account the area where these brown bears are being and will be harvested, and maybe what some

numbers are on the potential harvest. I think that would be helpful.

CHAIRMAN O'HARA: Yeah, in this area where you have a big population,

MR. HEYANO: Yes.

CHAIRMAN O'HARA: and everybody becomes eligible for bear, accessing federal lands is pretty hard actually, you know, like Mr. Hood told us, that there was a certain number of people available to take moose in the fall hunt down at the upper end of the Becharof Range there, but nothing was taken, and then a few were taken in December. Egegik would be a little different, because they have pretty much direct, up the river access to federal lands, and Ugashik and those places, Port Heiden, that would be a little different pressure, but it's going to be pretty hard for the Naknek people to get into federal lands and go do a federal subsistence hunt.

But I think we're on track by just putting this on hold right now until we get all the information we need.

Call for the question?

MR. HEYANO: Question.

CHAIRMAN O'HARA: All those in favor say aye?

IN UNISON: Aye.

CHAIRMAN O'HARA: Opposed?

(No opposing responses)

CHAIRMAN O'HARA: Okay. Do you guys want to take another break, or

MR. SAMUELSEN: Incidentally, in the last break I was talking to Heather. Spring is here. Today is the official day of spring. The bears are out, she told me.

CHAIRMAN O'HARA: Right. There you go. Get the barbecue sauce out.

Do you guys want to take a break or do you want to keep going?

MR. SAMUELSEN: What time is it?

CHAIRMAN O'HARA: It's 10:55. We're going to break at 11:30? Okay?

All right. Helga, what's the next one?

MS. EAKON: Yes, Mr. Chair, the next two proposals are going to be analyzing just concurrently Proposal 30 and Proposal 31, which deal with brown bear in Unit 9, the Lake Clark area, and we do have Lee Fink from Lake Clark National Park and Preserve to do the lead presentation on these.

Remember, last year these came up in the proposal booklet as Proposal 21 and 22 respectively. And you had deferred action on these, because you wanted the Lake Clark Subsistence Resource Commission to meet and say, okay, how do we allocate these ten permits.

CHAIRMAN O'HARA: Okay.

MS. EAKON: So the Commission did have a formal meeting and they did take formal action, and Mr. Fink is prepared to tell you what they recommended.

CHAIRMAN O'HARA: Okay. Just before Lee addresses this here today, I just want to remind you again, in case, you know, anybody wants to testify on this issue. And, Joe, you were 29, not 30? Or are you still 30.

MR. KLUTSCH: Twenty-nine.

CHAIRMAN O'HARA: Twenty-nine? Okay. Fine. Okay.
Lee?

MR. FINK: Good morning, MR. Chairman and Council members. My name is Lee Fink with Lake Clark National Park, subsistence coordinator. We're going to be discussing, as Helga said, brown bear Proposals 30 and 31, which we've already -- which the Council's already reviewed as Proposals 21 and 22 last year.

In light of the discussion that just took place on Proposal 29, I'd like to just maybe refer you a second to the federal subsistence regulations in the general provisions, page 15. I would have brought this up later, but being as how we were on this subject, I think this is an important provision. I certainly considered it when I reviewed the proposals that we're looking at in the Lake Clark area. And this provision is a sealing requirement that any brown bear that's removed from Unit 9(B) must be sealed by the Alaska Department of Fish & Game before that hide or any portion, the skull, can be removed, and at the time of sealing, the Fish & Wildlife Protection officer removes the claws, and the skin or fur from the head area. So that significantly reduces any commercial or sport value to that hide which, you know, leaves the -- in the unit with -- within the unit in which this bear was taken for subsistence purposes, it has its full value. But if that bear hide is then to leave the unit, it -- I think it's significantly diminished in a sport sense, you know, of appeal.

CHAIRMAN O'HARA: Yeah, that's a good point. Appreciate that.

MR. FINK: Okay. If it's all right with the Council, I probably won't go into too much of the analysis, because the Council has pretty much looked at these analysis in the past in Unit (sic) 21 and 22, and if we have -- or Proposals 21 and 22, and if there's any specific questions, I'll be happy to address those.

Basically, well, I missed the meeting in November -- or last fall when this proposal was looked at most recently, these proposals, but the direction from the Council was to get some input from local residents on how we would distribute ten bear

permits that would be available for harvest on an annual basis and so in January the Lake Clark National Park Subsistence Resource Commission met in Newhalen and at that point in time the Council -- the Commission made a motion to include the resident zone communities of Nondalton, Illiamna, Newhalen, Pedro Bay and Port Alsworth, because all of these geographically similar villages have similar historic patterns of use, that these villages would be -- any resident of these villages would be avail- -- would have available to them these ten permits, federal registration permits, and those permits are handled by the Lake Clark National Park office in Port Alsworth. We will distribute the permits and track the permits, and they -- basically what the Commission requested is that there would be ten harvests available as opposed to ten permits, so we could transfer a permit if a hunter was not successful.

In the past we've looked at the populations and pretty much everybody's in agreeance (ph) that a harvest of ten bears would not negatively impact the population. We're talking again of a fairly geographically isolated area that's available for hunting, because of the land selection status in the Lake Clark area, and we've, you know, addressed that issue before. If we need to review it, I'll be happy to.

But that these ten bears that would be allowed, available for harvest, we could issue the permit. If a hunter was unsuccessful in his hunt, then they could return that permit and it would be available for redistribution at a later point in time.

CHAIRMAN O'HARA: You mean a later point in time for the other five villages?

MR. FINK: For the other five villages, yes. There wouldn't be any set -- no specific allocation to any one village.

CHAIRMAN O'HARA: Uh-huh.

MR. FINK: And that -- I think the local Commission felt that that would alleviate developing any barriers between the

villages. A lot of those villages are fairly interconnected. A lot of families live -- they have family ties between various villages, and this way we wouldn't have to set up any hard lines that says one village is allowed X-number of bears, and the neighboring village may only be allowed a lesser or more -- a higher number of bears.

CHAIRMAN O'HARA: Okay. Is that your presentation, Lee? I think maybe some of the people from up in the Lake country just walked in. We're dealing with Proposal 30?

MR. FINK: Thirty and 31.

CHAIRMAN O'HARA: Thirty and 31. And I don't know if they wanted to have any comment or not, but we're dealing with ten -- allocation of ten bears. It seemed like your Commission up there has worked out the system where -- pretty satisfactory to you? Okay.

MR. FINK: Yes.

CHAIRMAN O'HARA: All right. Any questions of Lee? Yeah?

MR. HEYANO: One question. Does that -- did the Commission address the number of female bears they would be allowed to take out of the ten?

MR. FINK: No, the Commission didn't really address that issue. They read the suggestion or the information I brought to them that this Council developed last year, and I think they, you know, concurred with that. Nobody wants to over-stress the population. That's a difficult issue to regulate I think. I talked with Dick Sellers just a little bit before I came up here, and, you know, he felt from a biological standpoint that if the -- if we -- that would be the optimum number of females to be harvested, and if we went above that continually that it could affect the population. And I would think that the most -- the easiest way to regulate that would be some type of an emergency closure, and that was one thing I intended to bring up to you is, you know, at the point in time when we get -- if in

1997 hunt season the first four bears taken are female, then we may have to look at closing the season. If the first four bears taken are male, then we wouldn't have to address that issue. But we'll know -- you know, we'll have a fairly good reporting procedure in place with these federal registration permits, because we'll get a very quick response on the data collected, the information on how the hunt -- whatever the hunters success was, whether it was male or female.

CHAIRMAN O'HARA: Robert?

MR. HEYANO: Just a follow-up question for clarification then. Out of the ten bears that can be taken, are we looking at a limit of four that are female? Is that the recommendation, or is that the number we should be discussing?

MR. FINK: Well, that's -- I think that's a good number. That's the number that this Council has established, and, you know, you have all reviewed the biological data that we have, which is not -- we would like more current data, but we don't have it. But it seems like with the data that we have, that's a good number to look at. Whether or not we have to hold that line hard and fast, I think that's still possibly up for discussion, and we could see what the Council's wishes are, and maybe talk to Dave Fisher or get some information from Dick Sellers. I am no a biologist, so I would defer to either of those biologists if we -- if we come up with a number or if we hold four as the absolute number of females we want to see harvested.

CHAIRMAN O'HARA: Robert?

MR. HEYANO: Thank you, that's all I have, Mr. Chairman.

CHAIRMAN O'HARA: Yes, did anybody else have --? Yeah.

MR. LaPORTE: Yeah. Proposal 30 and 31 kind of are designed to include the other user zone communities into the allocation of ten bears that were primarily given to the Nondalton residents, which I thinks been in effect for about two years now. But during this past two years, have there been any

permits requested or bears taken by the Nondalton residents?

MR. FINK: No, in the last two years we haven't issued any federal bear permits to any residents of Nondalton.

CHAIRMAN O'HARA: They're there, but no one's taken them?

MR. FINK: They're there, but no one has taken them.

CHAIRMAN O'HARA: Okay.

MR. FINK: You know, we discussed this earlier, last year. This is an access issue to some extent. These federal lands are not right next door to any of these villages, so it takes

CHAIRMAN O'HARA: Yeah.

MR. FINK: a concerted effort on the part of the hunter to get to these lands, to access them, but if -- what I think is important is that the opportunity is there if the need arises. If they need subsistence bears in Nondalton or Newhalen on a given year, they can access them. They're not held to, you know, one bear every four years, because a person could get a bit hungry waiting for bear on a four-year rotation cycle.

CHAIRMAN O'HARA: Okay All right. Anything else, Lee? Any other questions of Lee? Okay. What's the next step, Helga?

MS. EAKON: The program received identical comments on Proposals 30 and 31 from the Alaska Department of Fish & Game, but before I pass that on to you, I would like to ask Mr. Morrison if the position of the Department of Fish & Game has changed since they wrote their comments.

CHAIRMAN O'HARA: Okay.

MR. MORRISON: Thank you, Helga. John Morrison, Department of Fish & Game. The Department's position has changed only to the extent of being in agreement to the

modification described by Mr. Fink.

CHAIRMAN O'HARA: So you don't have a conflict here?

MR. MORRISON: No.

CHAIRMAN O'HARA: Okay. Thank you. Is there anything else, Helga, before we act on this?

MS. EAKON: Yes. Two gentlemen walked in from the area that we're talking about; however, at this point unless they have changed their mind, they do not wish to testify. I guess they just want to kind of listen.

CHAIRMAN O'HARA: Okay.

MS. EAKON: Is that right?

CHAIRMAN O'HARA: Yeah. Nice to have you here today, and we're dealing with your area of that ten-bear permit from Proposals 30 and 31. And it's working pretty well. So we're glad that you can be here today. And thank you, Helga.

If we don't have any other comments, we don't have any public comments on this, let's go ahead and act on this 30 and 31. What's the wish of the Council?

MR. HEYANO: Mr. Chairman?

CHAIRMAN O'HARA: Yes.

MR. HEYANO: Yes. In addressing Proposal 30 and 31, I move that we accept the recommendation of the Commission. What's the -- is that the Lake -- what is the correct term I want?

MR. FINK: It's the Lake Clark National Park Subsistence Resource Commission.

MR. HEYANO: That Commission, Mr. Chairman.

CHAIRMAN O'HARA: Okay.

MR. HEYANO: That the resident communities of Nondalton, Newhalen, Illiamna, Port Alsworth and Pedro Bay be allowed to take up to ten bears, of which no more than four may be female.

CHAIRMAN O'HARA: Is that your motion?

MR. HEYANO: Yes.

CHAIRMAN O'HARA: Second?

MR. SAMUELSEN: Second.

CHAIRMAN O'HARA: Okay. Robin seconded that motion. Any discussion? Do you want to speak to your motion?

MR. HEYANO: Yes, Mr. Chairman. I think at previous meetings we agreed that there can be a limited harvest of ten. I think we can certainly agree that for the protection of the bear population that a limit of female bear should be no more than four. And we asked the Commission to decide how these ten bear would be allocated, and they've done exactly that. So -- and I'm real comfortable with that decision that they made, with the limit of ten and the limit of four female bear, based on all evidence I heard that that's adequate protection for that bear population at this time.

CHAIRMAN O'HARA: Any other members of the Council want to address the proposal before we vote? Call for the question?

MR. STEPANOFF: Question.

CHAIRMAN O'HARA: All those in favor say aye?

IN UNISON: Aye.

CHAIRMAN O'HARA: Opposed?

(No opposing responses)

CHAIRMAN O'HARA: The minutes show that it's unanimous.

Lee, did you have anything else to bring before us at this time? Okay.

Helga, what's the next point?

MS. EAKON: Yes, Mr. Chair. The next two proposal concern caribou in Unit 17(A). Proposal 32 was submitted by the Togiak Fish & Game Advisory Committee, and Proposal 33 was endorsed by the Bristol Bay Regional Council, and Dave Fisher has the lead on these two proposals, which are analyzed concurrently. And for your reference, page 33 in your red book.

CHAIRMAN O'HARA: Thirty-three or page 29?

MS. EAKON: The draft analysis is on page 33 of your red book.

CHAIRMAN O'HARA: Got it. Okay. All right. Dave, are you the lead agency here?

MR. FISHER: Yes, I'm the lead on this, Mr. Chairman. I'll keep my comments fairly brief. We will have some comments by one of the members of the refuge staff, so I'll keep my comments brief.

Basically both these proposals would change the current regulation for subsistence hunting of caribou in Unit 17 west of the Togiak River to that of a continuing action. As you'll recall the Federal Subsistence Board passed a special action to allow for hunting in 17(A) west of the Togiak River when enough animals are present. This current special action expires the middle of next month, so Proposal 32 and 33, regardless of which one goes into effect, would override that special action and become a permanent regulation.

As you know, the Mulchatna herd has expanded in great numbers and in great areas, and it's gone into Unit 18 south of the Yukon River, and also down into Unit 17(A). However, there was never enough animals there for a season to be opened, so

there's been -- there has been no open season.

Another item that the Council should take into consideration is land status in that area. In Unit 17(A) the federal lands there are comprised of the Togiak National Wildlife Refuge. However, along the Togiak River, and along the coast, most of that is village corporation land, and subsequent (sic) to state wildlife management regulations.

Proposal 32 would establish a season in Unit 17(A) west of the Togiak River regardless of how many caribou are present, and Proposal 33 would allow the same thing only when enough animals are present to allow potential over-harvest of Kilbuck animals and/or any Nushagak caribou that could be in that area.

The staff recommendations for these two proposals would be to take no action on 32 and adopt 33. However, recently the refuge staff and the Fish & Game biologist, Larry Van Daele in Dillingham, have recommended some modifications for both proposals, and they've put together a draft caribou management direction paper, and I'd like to call on Mike Hinkes to come up and discuss the -- their modifications and the draft paper at this time.

CHAIRMAN O'HARA: Is Mike Hinkes in the room?

MR. HINKES: Yeah, Mr. Chairman, Mike Hinkes. I'm the wildlife biologist/pilot for the Togiak Refuge, and Andy was going to come up here also, in case he has some things to add.

Dealing with caribou in 17(A) is kind of a difficult situation. We have, you know, two resident herds, one that's to the north that is the Kilbuck herd, which has been expanding, and we have another resident herd on the Nushagak Peninsula, which has also been expanding into 17(A). And then on top of that you have the Mulchatna herd which numbers in the neighborhood of 200,000 at this time, which has also shown up in 17(A) over the past two years. So it's kind of a difficult situation to address, allowing the harvest of, you know, a large migratory herd, and also protecting two expanding resident herds. So it is kind of a difficult situation to deal with.

We were given a direction to get together with the advisory committees, the Nushagak and the Togiak, and then the agencies, which Aaron talked about earlier, or last night I guess. And we really weren't able to come up with an agreement, or something that everybody agreed on as far as the proposals. Some of it had to do with weather, and some different philosophies. So after that meeting, sitting down with Fish & Game and ourselves in Dillingham, we thought that this might be a good time to come up with our own recommendations towards the management of caribou in 17(A) and towards the proposals. And, let's see, you got the hand-out of the hunt recommendations that we had?

CHAIRMAN O'HARA: Is it in the packet?

MR. HINKES: Is it in the packet, Andy?

MR. ADERMAN: I believe Aaron handed it out last night.

CHAIRMAN O'HARA: Oh, here it is, yeah.

MR. HINKES: There's two items that are there, one is a recommendation for a hunt that's addressing the two specific proposals. And we also provided some, what we called management directions, which looking at 17(A) as a whole, and coming up with some draft goals and objectives, and again like Aaron mentioned last night, this is just a starting document that we could work on over the next -- in the future here as far as future management. And I can go over it in a little bit more detail, but as far as the first part of that hunt recommendation, again, it's only our recommendation, and it's pretty much the same as Proposal 33. The only difference is the timing, the dates that we recommended were October 1 through March 31st versus I think August 15th through

CHAIRMAN O'HARA: Why would you exclude August and make it October? Here we start August 10th. Is it just because the herds are not as healthy or

MR. HINKES: The main reason for that is the Mulchatna

animals have not been in those

CHAIRMAN O'HARA: Yeah.

MR. HINKES: in the unit during that time,

CHAIRMAN O'HARA: They're not -- they're gone. Okay.

MR. HINKES: and the caribou that are there are primarily the Kilbuck animals that are expanding from the north, and

CHAIRMAN O'HARA: Yeah. Okay.

MR. HINKES: the Nushagak from the south.

CHAIRMAN O'HARA: Yeah. That's fine. Thank you. Okay.

MR. HINKES: The Nushagak herd has established a small group near Twin Hills. We have one radio collared animal from the original reintroduction that stays over there all the time now. And she's calved there for two years, and there's been some other documented calving there. So there is an established group near Twin Hills. And it's -- primarily there's -- generally there's no Mulchatna animals there in the unit during that time.

CHAIRMAN O'HARA: Yeah. Okay. All right.

MR. HINKES: And also the other reason for that is to make it consistent with Unit 18, which their EO under the state regs starts on October 1, so there was that push for consistency. And that's one thing that we've tried to push with our management recommendations in this area is consistent with the state regulations, and also -- within 17, but also for Unit 18, too, where we're talking about some of the same animals.

And that's, you know, where we've come from on our proposals here. That's -- that kind of deals with the comments that I had on the specific proposals. Now, I can go into this -- into these management directions if you want more detail on

what we're thinking as far as long-term management, or

CHAIRMAN O'HARA: Council members, what do you want to do? Do you want detail or do a general?

MR. SAMUELSEN: General.

CHAIRMAN O'HARA: General. We won't go into detail. No detail, we'll go into just an overall view. We don't necessarily feel like we need to go into detail on this. I think we're all pretty much up to speed on what's happening with these animals, there, so you can just speak generally to them.

MR. HINKES: I'm

CHAIRMAN O'HARA: We're not -- we don't necessarily want to go into detail at this time, unless you really feel that we need to do that.

MR. HINKES: No, it's up to you folks. You know, you have it in front of you that lays out some of the goals and objectives that we saw for caribou in 17(A).

CHAIRMAN O'HARA: Uh-huh.

MR. HINKES: And basically the -- well, maybe just briefly if I can just say that what -- it's a conservative approach that the Department and the Togiak Refuge is taking on this draft direction, you know, to protect the two resident herds, but still allow for a limited harvest on those herds when there's enough numbers. And also to allow a harvest, liberalized seasons when the Mulchatna caribou are present.

CHAIRMAN O'HARA: When are they present? Now?

MR. HINKES: No, there are -- as far as we know, there are few Mulchatna caribou, if any, in 17(A).

MR. SAMUELSEN: If we adopted the proposed language here for 32 and 33, would there have been a hunt in Togiak for caribou last year?

MR. HINKES: Last year? Probably.

MR. SAMUELSEN: How about this year?

MR. HINKES: No. No, there hasn't been enough -- we've have -- Andy's just handed you a distribution map of groups of caribou that we saw this winter, and you can see that there weren't too many observations in 17(A). We did get some of the mix of Mulchatna and Kilbuck caribou that moved down into the Osviak drainage down on the southern -- the left bottom of the map, and some of them that moved into a couple of the other river drainages west of Togiak, but there weren't very many in there. The observations that you see east of the Togiak River are Nushagak animals, some with radio collars and others that we're pretty sure that are out of the Nushagak herd.

CHAIRMAN O'HARA: Okay. So if the residents of Togiak are hunting caribou right now, they're doing the Kilbuck herd or something else?

MR. HINKES: No, where they're hunting -- where we've seen -- we found kill sites and that is in Unit 18 just on the other side of the line, in the Goodnews drainage. They have harvested some animals over there.

CHAIRMAN O'HARA: What animals are those?

MR. HINKES: It's been a mix of Mulchatna and Kilbuck.

CHAIRMAN O'HARA: Hard to say?

MR. HINKES: It's hard to say. Fish & Game put out some new collars a couple years ago into the Kilbuck herd. They were intended for Kilbuck animals, but at that time there were some 20,000 or more Mulchatna, so there was a mix. And we've had both the old Kilbuck collars, which we knew were Kilbuck animals, and some of the new ones, you know, mixed together in there, so it's probably a combination of Kilbuck and Mulchatna caribou.

CHAIRMAN O'HARA: I would imagine your biggest number of animals would be taken in not necessarily October, but probably nonresident would take them in October. It must be January on, when you have snow conditions and can

MR. HINKES: Winter, when the snow conditions are right.

CHAIRMAN O'HARA: travel with snow machines.

MR. SAMUELSEN: Mike, you said in 17(A) under the proposed language, your proposed language 32/33, there would have been a hunt over there last year. How many animals were over there last year? Are we -- and are we just talking of 17(A) or were you talking of the combination of 17(A) and Unit 18?

MR. HINKES: If we were just talking 17(A), I think we had three to 5,000 animals that probably passed through. I know we had some larger groups that -- the largest groups that we observed were up in the Togiak lake area where they came from west to east, and it was later on in the winter when they were starting to head back towards their calving grounds, and it was a mix of Kilbuck and Mulchatna animals. There were also animals that moved down into the Osviak area again in the -- towards Cape Newenham, Hagemeister Island. They had moved down in that area, and then there were some animals that actually seemed to move right -- just west of the Togiak Village in a northeastern direction. Now, I'm not sure what the numbers were down -- that moved past Togiak, but there was, you know, two to 3,000 up near Togiak Lake.

MR. SAMUELSEN: And one more if I may, Mr. Chairman. Presently you can't open it unless there's 10,000 animals present in 17(A), right?

MR. HINKES: No, that's under the state regulation, EO, Larry Van Daele can open it up if there's 10,000. Under the federal regulations, Aaron can open it up when there is -- I think it states enough caribou.

CHAIRMAN O'HARA: Enough caribou?

MR. HINKES: Yeah.

MR. SAMUELSEN: Significant. It's pretty open-ended.

MR. HINKES: Yeah, it is -- and it's a difficult one to come up with, you know, how many animals are there, how much is the mix between the Kilbuck and the Mulchatna. It's not an easy unit to deal with. Our management direction kind of -- because of the natural distribution so far of these herds and that, are basically saying to move that line of Unit 18 over to the Togiak River, and manage things consistent with the Kilbuck management plan and Unit 18 over there. Consistent in 17(A) west of the Togiak River. And then everything east of the Togiak River in 17(A) would be managed consistent with the Nushagak caribou management plan. The natural distribution which we have right now kind of -- that's more of a natural line than a unit boundary at this time, and that's kind of what some of our goals and objectives are trying to do.

CHAIRMAN O'HARA: Robin, did you have anything else that you wanted to ask?

MR. SAMUELSEN: Yeah. The other day I called Larry and I wanted a definition of -- Larry Van Daele, ADF&G biologist, an explanation of adequate numbers. And his definition of adequate numbers was 10,000 animals, and now you're talking three to five here. And it was based on basically the same proposal.

MR. HINKES: Yeah, the state's position was 10,000 animals. You know, this was -- I'd like to, you know, say that this is a joint -- this was a joint proposal,

MR. SAMUELSEN: Uh-huh.

MR. HINKES: you know, with Fish & Game, and the Togiak Refuge. And, you know, as a group, you know, we have not defined, you know, significant numbers for this proposal here. Now, I'd say for those animals passing through, you know, three to 5,000 animals, I think that the number of animals that Togiak could have potentially taken during that time period that they

were there, which may have only been -- I mean, when there were large numbers, a couple weeks, I don't think there would have been a significant impact on any of the caribou.

CHAIRMAN O'HARA: You know it's really interesting. Did you have anything else there right now?

MR. SAMUELSEN: No.

CHAIRMAN O'HARA: In the area here when the Alaska Peninsula herd travels up here a couple of years ago, we had thousands of animals come here, and Dick Sellers, I don't know if he's here or not, but he -- as soon as they got anywhere close, because we had the reduced amount of animals on the Alaska Peninsula, shut down the hunting, and here the animals come up to us, and now we can't hunt, you know. It really didn't set very well, but we had the potential of killing off a lot of animals. Whereas you go up to Lake Iliamna, they've got the big Mulchatna herd, and even though some of our animals go up there, they're not really impacted at all. And so it's a difficult thing to deal with.

We notice that in flying in the area at a certain period of time, those herds start separating. You'll see like the Peninsula herd walking this way, and then the Mulchatna herd walking to the west. Just -- I mean, there will be animals going in two different directions in a big area. Do you see that with the Kilbuck herd and the Mulchatna herd, or is that not a big question?

MR. HINKES: Well, we saw some of that last year when there was some of the Kilbuck collars that were following with the Mulchatna animals to the east, but they went so far, and some of them did move back into, you know, traditional Kilbuck range, but there were a lot of Kilbuck collars this last year that had ventured east, and I think we track some as far as the Alaska Range, and with some of them moving back, and it's -- you know, it's gone both ways. But there has been some separation there.

CHAIRMAN O'HARA: Some of us fly this area every week,

sometimes every day, and you look at the same animals, same herds, and you'll watch their movement, you know, so I was just kind of wondering.

We're getting pretty close to lunch time. I don't know if you're finished with your report or not, but we would like to go to lunch, and if we were to stop and go to lunch right now, would you lose your trend of thought? You're pretty good keeping in on there? Do you have more to talk to us about?

MR. HINKES: No problem. Pardon?

CHAIRMAN O'HARA: You have more to talk to us about?

MR. HINKES: It's up to you folks if you want more detail on our proposed objectives here. We kind of -- we developed this kind of in support of our recommendation on the hunt. It's

CHAIRMAN O'HARA: Uh-huh. Yeah, I think we can come back -- we'll talk about it over lunch time. We'd like to go down and have lunch now, because the restaurant can get pretty crowded, and we'd like to be down there by about 11:30, which is real close. And then right after lunch -- do we need an hour and a half for lunch? Be back at 1:00 o'clock. At 1:00 o'clock we'll be back. We'll take a recess until then. Thank you.

(Off record)

(On record)

CHAIRMAN O'HARA: Okay. We're going to call the meeting back to order. And we're in the middle of a presentation by Fish & Wildlife. Ready, Mike?

MR. HINKES: Ready to get going again?

CHAIRMAN O'HARA: Okay.

MR. HINKES: I don't have a whole lot more to add, but maybe just to readdress some of the things that Robin asked me

earlier with the proposal that we have. The thing that I guess I want to emphasize is the way this is -- the way this is designed to work is treating Unit 18 and 17(A) west of the Togiak kind of as the same. And that a decision to open it to caribou hunting, the to be announced part, would be kind a joint decision between the refuge managers on both sides and the area biologist for Fish & Game.

CHAIRMAN O'HARA: And the Regional Council? No?

MR. HINKES: No, the -- right now the authority is actually under the two -- would be under the refuge managers who are working with Fish & Game, and at the same time open it in emergency order under state regs. To do that all at once and treat it together. So to get back to Robin's question, would we have opened it this year under this proposal, the answer is, yes, we would have, because the way it's set up, that we're treating it as one unit, so if 20,000 animals move into Unit 18 from the Mulchatna herd, to open it up there would automatic-- Aaron would make the decision to open up 17(A) west of the Togiak. But that's the thing I'm trying to emphasize is that it is a cooperative effort, you know, between Fish & Game and the refuges, but working with the traditional councils and the advisory committees and that, but treating them -- basically moving that Unit 18 line over to the Togiak River as it relates to Mulchatna caribou.

CHAIRMAN O'HARA: is that your presentation?

MR. HINKES: Yeah, I think that's pretty much what I had to cover.

CHAIRMAN O'HARA: That's both of you would have to say? Okay. Dave, you didn't want to add to that?

MR. FISHER: No.

CHAIRMAN O'HARA: Okay. Any questions? Yes?

MR. SAMUELSEN: So, Mike, the opening and closures in 17(A) will be predicated on what enters into Unit 18?

MR. HINKES: Well,

MR. SAMUELSEN: 17(A) could have no caribou in it at all, but if ten, 15,000 move into Unit 18, it automatically triggers an opening in 17(A)?

MR. HINKES: Right. Assuming that the animals are going to continue the type of movement that they have over the past two years. Once they've come into Unit 18, they have come down into Kanektok, Goodnews drainage and on into 17(A), and, you know, different amounts for the two years, but that's been their traditional route. But it could also be opened if for some reason they cross the Wood River and came through the mountains into 17(A) from the east, we could do the same thing, open up the units.

MR. SAMUELSEN: Yeah.

MR. HINKES: But this -- working together like this is kind of an evolving thing right now, and -- but we have been contact with Bethel, the refuge over there, and Randy Kacyon who's the area biologist, so we've been working real closely together to put this together.

CHAIRMAN O'HARA: Okay. Any other questions? Yes?

MR. SAMUELSEN: Yeah, one more and then I'm done. This proposal I just got the other day in its entirety. Has this been circulated to Nushagak Advisory Committee for comments, and has the Togiak Advisory Committee seen it?

MR. HINKES: Gary's gotten a copy. And I think Robert was given a copy for his review, and he's discussed it I think with Larry also.

MR. SAMUELSEN: Okay.

MR. HINKES: Is that right, Robert?

MR. HEYANO: Yes, I received a copy, but not the

advisory committee.

MR. HINKES: Not the -- yeah, not the -- we've been kind of working at it as this working group that we were asked to put together where Robert was kind of the representative for that. And we'd assumed that, you know, he would get that out to those members.

CHAIRMAN O'HARA: Any other questions? Okay. Thank you. We'd like to have Helga at this time next on the agenda to deal with comments from the public. Thank you, gentlemen. We appreciate that. And then we do have a blue card here, too, today, to deal with. Helga, were there any public comments that we need to read into the minutes now at this time?

MS. EAKON: Yes. The program received two comments apiece on Proposals 32 and 33. The Kwethluk Joint Group in Kwethluk, Alaska supported both of these proposals.

CHAIRMAN O'HARA: Supported them?

MS. EAKON: Yes.

CHAIRMAN O'HARA: Uh-huh.

MS. EAKON: The State of Alaska opposed 32. They said that the current state regulation allows an open season in the protected area when more than 10,000 caribou are present. This number was chosen to protect the nearby Kilbuck caribou herd and to allow the Mulchatna herd to become established in the area before a hunting season is established. The reason for proposing the change is to allow harvest along the Togiak River. Most of the land along the river is privately owned and thereby subject to state regulations. This proposal would not open those lands to caribou hunting.

And the Department of Fish & Game supports Proposal 33 because it mirrors the state regulation.

And this concludes the written comments on these two proposals.

CHAIRMAN O'HARA: So the State of Alaska opposed?

MS. EAKON: They opposed 32 and supported 33.

CHAIRMAN O'HARA: Okay. And when you say State of Alaska, there's many entities within the State of Alaska.

MS. EAKON: The State of Alaska, I'm sorry, the Alaska Department of Fish & Game.

CHAIRMAN O'HARA: ADF&G.

MS. EAKON: Uh-huh.

CHAIRMAN O'HARA: Okay. And yet you're working -- yet they're working with ADF&G biologists out of Dillingham on this very problem. Okay. All right.

Okay. Anything else, Helga?

MS. EAKON: I think you do have public testimony forthcoming?

CHAIRMAN O'HARA: Yep, we do have public testimony. Carlos. Gary, are you -- could you come up here and talk to this issue, since you have 32 down here? And then we'll have 33 coming up in a little while, too, so do you want to address 32 at this time? Give us your name so we can put you on record there, and who you represent, if you would, please?

MR. CARLOS: Mr. Chairman, members of the Council, I'm Gary Carlos. I'm representing the Togiak Advisory Committee, and the views of the Togiak Traditional Council.

I would like to maybe discuss 32 and 33 together. They're actually synonymous in that 33 is a reflection of our special action that we requested in August, and it was -- we did not know it was in the book or going to be in the book, and we submitted 32 in form.

CHAIRMAN O'HARA: Okay.

MR. CARLOS: We've had several meetings in Togiak. The last one was a joint Togiak Advisory Committee and Togiak Traditional Council meeting, and I would like to read the minutes that reflect that particular discussion. We talked about 32 and 33, because they were actually quite similar, and we discussed the different ideas that we had on it, and I'll go ahead and read at this time.

Proposal 32 was submitted by the Togiak Advisory Committee to allow a subsistence caribou season from August 1 to April 15. Gary Carlos noted that under the federal guidelines, only 18 villages get 17 permits each, while the state has two caribou each in 18. Stanley Active, Sr., expressed a concern that April 15th was too close to the calving season to hunt. Gary suggested that the start of the caribou season should align with the start of the moose season. There was a question about the threshold numbers to start caribou. Frank Lagusak noted that when he recently went upriver to check his traps, he saw caribou, but he left them alone. He said that he did not need any meat now. People hunt in Togiak when they need meat, not when there is a season. There was a discussion about how many animals this village would need. Pipa (ph) noted that the Village of Egegik, a village that historically had a lot of caribou close at hand, consumes 130 pounds of meat per person, and the average caribou dresses out at about 150 pounds. With a village population around 800, she said that around 800 animals would be a measuring stick. Bruce Forsh noted that in previous discussions about moose and caribou, the Togiak Advisory Committee wanted to have a caribou hunt to take the pressure off the moose. Frank Lagusak moved and seconded by Stanley, Sr., to have a federal subsistence hunt on caribou from August 20th to March 31st without a threshold to open the season. The motion was passed unanimously.

So we've modified 32 and 33 to the August 20th date. They considered the moving back from the April 15th as a -- there was much discussion on it, and it was -- they felt it was too close to the calving season, and if there was any opportunity for the caribou to stay in 17(A) during that time,

take the hunt pressure off of them, and they're liable to stay.

After we had the meeting, we had an attempt to have a teleconference. It didn't go well, just due to the -- it takes quite a while to have a meeting in Togiak, due to translation, and it was quite difficult on a teleconference.

Fish & Game and Fish & Wildlife put together a draft proposal that they did submit, they did fax over to me. And it pretty much mirrors what we were talking about at our meeting, the joint advisory committee and the traditional council meeting. The -- so basically what it does is it modifies 32 and 33, and that's why we kind of felt -- and that's the way we deal with issues over there, is we take them, we take the two parts of whatever each are and try to work out to the best of what people feel is correct.

The one thing that in this draft on the first page that when I got the draft, I showed it to Frank Lagusak, Traditional Council President, and he wrote a letter to the advisory -- no, to the Subsistence Council here with his concerns. And his concerns were that the decision to open hunting would be coordinated between managers of the Togiak and Yukon National Wildlife Refuge and Alaska Department of Fish & Game in Dillingham and Bethel.

When the Togiak Advisory Committee presented the proposal, we originally talked about a cooperative management plan between the Togiak Traditional Council and these entities, so that the traditional council could have an influence in this management decision. The reason for that would, and I'm going to move on to 37 and 38, is that we talked about moose also. We want to put the pressure, hunting pressure on the caribou more moose in 17(A). So just with that said, I'll leave moose alone for now.

But the traditional council wanted to be involved in this management process, and it was left out of this draft. Frank Lagusak, Traditional Council President, wanted to make that comment known.

The other thing, second paragraph, has no fall hunt is desired. In our discussions, we did want them to move concurrently, hoping that the caribou would preserve the moose and here again take the pressure off the moose.

CHAIRMAN O'HARA: By an August hunt?

MR. CARLOS: Yeah. Well, in our minutes we reflected that we wanted the season -- we moved the season from August 15, or from August 1st to August 15th. So when we received this fax on the draft, it states here no fall hunt is desired. We did want to note that in fact we did prefer to have a fall hunt.

As this plan is written, in that it is moving the Kilbuck management direction over to 17(A) west of the Togiak River, it's possible we could put a provision in there that if a certain number of caribou are present in 18 and 17(A) west of the Togiak River, that an earlier season may be justified. As it is now, I believe it's October 1 by EO or by agreement.

If you'd like, I can just read the pertinent parts of the letter from Frank Lagusak, Traditional Council President to the record.

CHAIRMAN O'HARA: That's fine.

MR. CARLOS: This was dated 3/18, yesterday, '95, to the Bristol Bay Federal Subsistence Regional Advisory Council, from Frank Lagusak, President, Togiak Traditional Council. At a joint meeting of the Togiak Traditional Council and Togiak Advisory Committee, the joint bodies agreed that they supported the proposals as amended. We are in full concurrence with a subsistence hunt for moose and caribou in the Togiak area. I've also reviewed the draft and moose management directions for 17(A) by the Togiak National Wildlife Refuge and Alaska Department of Fish & Game Dillingham, and I concur with their direction.

One point that was not addressed is that the Togiak Traditional -- excuse me, that the Traditional Council would like to be involved in a cooperative management plan with Togiak

National Wildlife Refuge and Alaska Department of Fish & Game. This point was not addressed.

The second point we noted was the statement that no fall hunt is desired. We did want the two seasons to run together, if the numbers of caribou in the region warranted. We felt this should be pointed out and discussed further.

CHAIRMAN O'HARA: Okay. Anything else, Gary?

MR. CARLOS: One of the comments that was made earlier, and I just wanted to bring it up, from the refuge staff, that it's a very interesting management scenario in the 17(A) west of the Togiak River, because you have the potential of Nushagak herd, you have the potential of the Kilbuck herd, and now we have the Mulchatnas coming around the back side and coming in from the west. We purposely made our proposal west of the Togiak River, so that we would take the pressure off of the Nushagak. We don't want to hunt them. In fact, the Traditional Council I believe returned the permits for the Nushagak herd, most of them, because there's -- you know, it's just too far to go.

CHAIRMAN O'HARA: Yeah.

MR. CARLOS: And they don't want to -- they do not want to take those animals.

And I'd also like to note that this is a cooperative management plan with the Nushagak herd and the villages in the area.

The Kilbuck herd is the other concern that they have. There's a management plan on the Kilbuck herd. And I have an estimate size of the Kilbuck herd from 1980 to 1993. And in 1980 there were 17 caribou approximately in an aerial survey with a minimum of 50 estimated. And you get down to 1990, you've got 1300. Okay. You have a big jump then in those next three years to 93/94 of 3,682. And that's about the time the Mulchatna herd started coming in. So you've got a lot of mix going on. And recently they're counting in different surveys

there between 10 and 20,000 in that area, so the Kilbuck, the integrity of the Kilbuck herd is questionable right now. And we're saying what little impact Togiak might have on these caribou for a subsistence hunt for the local people would not impact that herd.

CHAIRMAN O'HARA: How many people in Togiak?

MR. CARLOS: 800.

CHAIRMAN O'HARA: They say

MR. CARLOS: 750 on the last census, but, you know, approximately.

CHAIRMAN O'HARA: Well, how many caribou per person? Two?

MR. CARLOS: They haven't had caribou.

CHAIRMAN O'HARA: No, I mean,

MR. CARLOS: It's two on the 18, yes. You know, not everybody is going to go out and hunt,

CHAIRMAN O'HARA: Yeah. True.

MR. CARLOS: because that's kids, but you know, if, you know, a couple hundred caribou were taken out

CHAIRMAN O'HARA: Uh-huh.

MR. CARLOS: of the Mulchatna herd, they're not impacted.

CHAIRMAN O'HARA: One other thing what you mentioned, Gary, we were talking at lunch and if you figure they have 3600 animals in the Kilbuck herd, and you can count as many as 20,000 in that area sometimes, obviously you don't have much of a Kilbuck herd, but you've got a lot of Mulchatna animals coming in there, which is fine.

Do they separate and go like they do in the Alaska Peninsula/Mulchatna herd, where they just, you know, come the middle of March they start separating and going. The Kilbuck herd is here and now the Mulchatna herd moved up into the upper Nushagak?

MR. CARLOS: You know, other than

CHAIRMAN O'HARA: Or does anybody know that?

MR. CARLOS: what I've heard in testimony here today, and that, you know, they found Kilbuck radio collars as far east as the Alaska Range, I can't

CHAIRMAN O'HARA: Who knows?

MR. CARLOS: you know, I personally can't tell you that.

CHAIRMAN O'HARA: I'm sure Tim has them, the two herds separate then, and they just are

MR. CARLOS: Yeah.

CHAIRMAN O'HARA: separating and

MR. CARLOS: Yeah. I think there's still a lot of intermix in this herd. It seems like they're changing

CHAIRMAN O'HARA: Yeah. I don't know if

MR. CARLOS: calving grounds.

CHAIRMAN O'HARA: Sellers would agree or not, but I think most of the Alaska Peninsula animals I think come back down to our way. I don't know. I don't know if they do that with the Kilbuck and Mulchatna or not, but it's pretty defined.

MR. CARLOS: There's a pretty large increase up there.

CHAIRMAN O'HARA: So they may stay. Uh-huh. Okay. Any questions for Gary? Thank you very much. Appreciate you coming all the way over and talking to us today.

And do we have any other members of the public that want to address this proposal?

MR. ABRAHAM: Mr. Chairman, I had a question for Mike Hinkes if he would come up over here. The question I had I forgot to ask you a while ago, is the -- where are the animals now? I mean, where are the 10,000 we counted, where's the other 10,000? Are they separate animals still right now or

MR. HINKES: The latest tracking work was that there weren't very many animals left in the Kanektok or the Goodnews drainage or 17(A). There's just a few scattered animals. And I think most of the radios, including the animals that had -- the radios that had been down in 17(A) and down in the southern part of 18, they've moved back to the north out on the Yukon Delta, and when I talked to Randy Kacyon, the area biologist in Bethel, last week, he said it was looking like they were starting to make their move back to the east, that they were -- you know, that the largest part of the group was starting to move that way. They did find most of the radio collars.

CHAIRMAN O'HARA: So in other words,

MR. HINKES: And there were Mulchatna collars up there in I think the Aniak drainage, too, but that it looked like the animals were starting their eastward movement again. You know, we'll know in the next couple of months just how much they separate out, you know, the old collars from, you know, the Mulchatnas.

MR. ABRAHAM: So in other words, the Mulchatna and Kilbuck are together right now?

MR. HINKES: Yes. Yeah, quite a bit. There's some animals that are still in their older traditional range. I mean, they're not all together it doesn't appear, but they have been pretty well mixed up for, you know, the past couple of

months.

MR. ABRAHAM: Yeah. Thank you.

CHAIRMAN O'HARA: Okay. All right. Do we have anything else now on this or do we act on this proposal at this time?

MR. LaPORTE: I have one question.

CHAIRMAN O'HARA: Okay. Tim?

MR. LaPORTE: The dates referred to, August 12th to April 15th. Were those dates that wanted to be changed along in with this?

CHAIRMAN O'HARA: Yeah, I was confused on that, too. I'm glad you brought that up, because it seems like Mike talked about an October date and Gary talked about -- I don't know whether it was August 15th or August 20th?

MR. CARLOS: No, March 31st.

CHAIRMAN O'HARA: No, starting off.

MR. CARLOS: August 15. August 15.

CHAIRMAN O'HARA: August 15th?

MR. CARLOS: Yeah.

MR. LaPORTE: And a cut off of March 31st.

CHAIRMAN O'HARA: March 31st.

MR. CARLOS: Yeah, a cut-off of March 31st.

CHAIRMAN O'HARA: And the Fish & Wildlife says what date?

MR. HINKES: October 1.

CHAIRMAN O'HARA: October 1, that's your recommendation.

MR. LaPORTE: Okay.

CHAIRMAN O'HARA: Yeah, I'm glad you clarified that, Tim, because I was confused on it, too. I see right here it says October, and then the other one is September 15 -- August 15, excuse me. Yeah?

MR. SAMUELSEN: Mike or John, ADF&G, do we manage a game unit -- well, let me rephrase it, I don't know anywhere in the state where we predicate what's happening in one game unit and let it overflow into another game unit. I'm having some real trouble opening up a portion of 17(A) predicated on 18, what's happening in 18, especially after Mike's comment here, that most of the caribou are moving north and then east and are up by Goodnews and the Kanektok. And I remember talking to Mike last year when the Togiak folks were screaming for an opening there and there wasn't 50 caribou in Unit 17(A) east of the Togiak River. Now, I think before this -- if we voted right now, I would vote no. And I want to hear some dialogue here of whether we're going to try to substantiate a resident caribou herd in 17(A) or not. I thought at one time that was our goal, is to push caribou over into 17(A), and try to develop a resident herd. Two years ago was the first time in 100 years that caribou appeared in that area. Now all of a sudden we're willing to open up the flood gates here. Now, if that's going to be our management philosophy, fine, but, you know, I'd like to have some discussion on what is our long term goals for Unit 17(A) and that southern portion of 18.

CHAIRMAN O'HARA: Who -- Is there anything else there?

MR. SAMUELSEN: No.

CHAIRMAN O'HARA: Who can address that issue, Dave?

MR. CARLOS: I could, Mr. Chairman.

CHAIRMAN O'HARA: Well, I mean of the staff.

MR. FISHER: Probably Aaron or Mike could probably address that.

CHAIRMAN O'HARA: Who?

MR. FISHER: Aaron or Mike.

CHAIRMAN O'HARA: Okay. Well, they probably should come up and give us an answer to that, because that's a good answer. Okay. Go ahead.

MR. ABRAHAM: Mr. Chairman, this discussion we're having right now is concerning the 17(A).

CHAIRMAN O'HARA: Uh-huh.

MR. ABRAHAM: Well, the idea of the whole thing is because when was it, about four years ago we had about 15 to 20 Nushagak herd behind Twin Hills, in that area. Well, right now they're up to about what, 53, in that neighborhood, right there. Well, the idea of that -- I mean, of 17(A) opening is to protect these Nushagak herds that are increasing rapidly on east side of Togiak River by opening 17(A) with 18 combined together. The residents would have easier access to the animals on the west side of it. Not only that, you should take the pressure off the moose population we're trying to increase in that area, because in the future we might have a fall hunt. On the last meeting we had, and it was a teleconference, this is simple issue we had, you know, we have, and we were going around in circles. But because both parties were not understanding each other, we've got to understand each other, what the purpose this whole thing is right now, to accommodate both parties, so that both parties will be, you know, happy. Not only that, the Regional Council wants to get involved on this whole situation, to work hand-in-hand with ADF&G and U.S. Fish & Wildlife, so we'd have more firm protection on Nushagak herd, which we like to increase or see go faster without no interruption on the east side.

CHAIRMAN O'HARA: Okay.

MR. ABRAHAM: That means along with the -- that means

the moose, too.

CHAIRMAN O'HARA: Uh-huh. Okay. All right. Do you understand Robin's question, Mike?

MR. HINKES: He's asking about what are the management goals and objectives for 17(A) for caribou.

CHAIRMAN O'HARA: You've got 18 and you've got 17(A). Are you going to have a slop-over, are we going to define the boundaries?

MR. HINKES: Well, you know, with -- you know, we've had a management plan for the Kilbucks, and they've been pretty much Unit 18. The Nushagak animals, they've been pretty much 17. They split the subunits, but pretty much it's Unit 17. This event of the Mulchatna caribou coming into 17(A) in larger numbers is very recent, you know, within the past couple years. You know, we've had the two smaller resident herds expanding their use of 17(A), and specially with the Nushagak, but also with the Kilbucks. But as far as the Mulchatna herd, with these large numbers, it's a fairly recent event. And we haven't really developed any management goals and objectives until now, and that is -- what we have down there as management directions I think is the beginning of development of goals and objectives. You know, that's just a draft, it's a starting point, and it's something that, you know, if the traditional councils and the, you know, agencies need to work together to firm those objectives up. But it's very recent, and so we don't have any specific goals and objectives.

And as far as what the department does as far as across unit boundaries, I don't know.

CHAIRMAN O'HARA: Robin?

MR. SAMUELSEN: Yeah, Mike, you know, last year I was talking to you, and I think there was 50 caribou on the west in 17(A). Under -- the problem I'm having under this proposal, that area would have been opened when them caribou migrated in there. There might be only 25 in there today, but if we adopt

this proposal, them 25 -- and it passes the Federal Subsistence board, them 25 could be hunted. We've got the caribou moving up north and to the east now. Is it our goal to establish a resident herd in the lower portion of -- southern portion of 18 and west of the Togiak River in 17(A) or not? Because, you know, if we're going to kill everything that arrives over there, regardless of the number, you know, the Kilbuck herd could come migrating down, or the Nushagak Peninsula herd could cross the Togiak, which is pretty narrow, and it's fair game. We'll say anything west of the Togiak we're going to kill. And that's, you know, that's the problem I'm having with this. We have no long-term goals and objectives. The first time in 100 years ago two years ago the caribou arrived at the scene, and we're willing to open up the flood gates.

And another, I'm kind of rattling on here, we say this is a federal subsistence hunt. Who is it open to? It isn't open just to Togiakers. It's open up to Dillinghammers, or it's open up to Quinhagakers, it's open up to Bethel people, it's opened up to any subsistence hunter, right?

MR. HINKES: That has eligibility for 17(A).

MR. SAMUELSEN: That has -- Okay.

MR. HINKES: Yeah, and that's Kwethluk, Quinhagak, Goodnews. You know, I think our goals, you know, as laid out, you know, in some of the direction for the refuges to re-establish, you know, caribou herds in them. So I think we do have a goal of establishing a resident herd in 17(A). Well, on the entire refuge, you know, and it's definitely not our intention to wipe out everything that comes, you know, into 17(A) from the west.

MR. SAMUELSEN: Yeah.

CHAIRMAN O'HARA: Robin?

MR. SAMUELSEN: You've got a caribou herd, the Nushagak Peninsula caribou herd is now a resident population that's starting to develop right up around Twin Hills.

MR. HINKES: Right. There's been

MR. SAMUELSEN: Which is very close to the Togiak River. What happens if we adopt this proposal and then caribou start crossing over, which could be on a prevailing wind, this spring.

MR. HINKES: Yeah, that possibility is there.

CHAIRMAN O'HARA: Robert?

MR. SAMUELSEN: What will the department do?

MR. HINKES: Well,

MR. SAMUELSEN: Your hands are tied then if we adopt this proposal.

MR. HINKES: Yeah, if it's already been opened because of 20,000 in Unit 18, and they happen to cross the river there, that -- yeah, there is a threat to them.

CHAIRMAN O'HARA: Any more?

MR. SAMUELSEN: That just -- you know, that's just inconsistent to what we've been trying to do all these years. And that's where I'm having the heartburn.

CHAIRMAN O'HARA: Robert?

MR. HEYANO: Thank you, Mr. Chairman. I guess what I would recommend at this time is that we stick to our original idea in October, and that was to have the identified working groups continue to work on this. I think with the Federal Government shutting down in December that there was an opportunity -- there wasn't enough time or opportunity for these groups to actually sit down and work together to develop an acceptable management plan for caribou in 17(A). The one teleconference meeting, you know, doesn't do justice to the issue. The document that we had today over -- given as a joint recommendation from the state and federal I think needs to be

further scrutinized by the public through the advisory committees. I really don't think we're that far off as far as caribou go. You know, we all agree when there's abundance of caribou in 17(A) that people should be allowed to harvest it. The difference of opinion I feel is what do we do when there isn't an abundance of caribou.

CHAIRMAN O'HARA: When there isn't an abundance. Uh-huh.

MR. HEYANO: Yes, and I think that's the difference that needs to be maybe focused on, and a resolution to. You look at the history of caribou in 17(A), and it hasn't been since the 1800s when there has been caribou in there. And, you know, for whatever reason, we being here today have the opportunity of living in a period of time when caribou populations in this particular area are increasing. We don't know how long that's going to continue, but I think we owe it upon ourselves and future generations to attempt to reestablish caribou in this area, and take advantage of whatever reason it is that we're being allowed this window of opportunity when they're expanding into new ranges and the populations are actually increasing. The proposals I see before us or the recommendations I think don't take that into consideration to the extent I'm willing to vote in favor of them. So I guess that would be my recommendation, Mr. Chairman. You know, I think if we voted on a proposal today, either one of them, or the amended one, in October this issue is going to come before us again with some changes. So

CHAIRMAN O'HARA: Okay. We'll get to you in a minute there, Gary, but I kind of feel like, you know, this is east versus west, because I don't know as much about what you're talking about as you do, so I'm kind of in a little bit of a quandary here. Let me ask you a question then if I could, and then, panel members, you can go ahead and ask Robert and Pete and Robin some questions, too, because if a big abundance of animals come from the Mulchatna. Let's face it, you know, the Kilbuck herd is not going to be big enough to supply anybody in all those communities with 3600 animals, if they even have that many. But 15, 20,000 animals come down from Mulchatna area, and

float across 17(A), Mike has the privilege of opening that area up on an emergency basis to give the Togiak people the opportunity to hunt off of a herd that's healthy, that's the Mulchatna herd. That's not a problem. We can live with that, right? Whether there's a management plan in place or not, they can go out and get those animals.

The second question I -- so we all agree on that. But we're not going to agree on going out and killing the 50 to 25 animals that be there maybe as a resident herd of the Kilbuck or maybe its own herd. I don't know. We certainly don't want to do that. I mean, that's not even practical. And we don't want to touch the Nushagak herd, because, you're right, if they float across the river, they're fair game, they could be gone, and all that work is done for nothing.

The second question then is, okay, we establish in 17(A) that we can get animals for Togiak if ten or 20,000 of them go across there, and Alaska Department of Fish & Game and Mike and his group can go ahead and give Togiak a hunt. Eighteen, district 18, Togiak can hunt in that area. There's always caribou there for them to hunt, is that right?

MR. SAMUELSEN: Yes.

CHAIRMAN O'HARA: They can always -- Togiak can always go to 18 and get caribou?

MR. SAMUELSEN: Yes.

CHAIRMAN O'HARA: Okay.

MR. SAMUELSEN: My understanding.

CHAIRMAN O'HARA: Without impacting

MR. SAMUELSEN: They can go to 18 or they could come over this way.

CHAIRMAN O'HARA: Over here to Peninsula or up on the Mulchatna.

MR. SAMUELSEN: Uh-huh.

CHAIRMAN O'HARA: Yeah. Okay. But you want to protect this 17(A).

MR. SAMUELSEN: West of the river.

CHAIRMAN O'HARA: West of the Togiak River, yeah.

MR. SAMUELSEN: Uh-huh.

CHAIRMAN O'HARA: I understand that. Do you guys understand what we're talking about here?

MR. SAMUELSEN: Mr. Chairman?

CHAIRMAN O'HARA: Yeah? Uh-huh.

MR. SAMUELSEN: Maybe I could ask staff a question. You brought up a good point. I have no problems to opening west of the Togiak River in 17(A) like a couple years ago when 3,000 or 5,000 animals were there.

CHAIRMAN O'HARA: Yeah. Uh-huh.

MR. SAMUELSEN: My problem is when there's 50 or 100 or 200 animals sitting there that I know are going to get wiped out. Does staff have the EO authority to open that right now on federal lands?

MR. FISHER: Through a special action, yes.

MR. SAMUELSEN: So you could open -- how long would a special action take? That's the problem with the federal people. It could be six weeks.

MR. FISHER: No. No, I've seen a special action go as fast as three days, two or three days.

MR. SAMUELSEN: Oh, that's good. That's a good

reaction. So -- well, I mean, Mr. Chairman, maybe one of the answers to this in the interim is that we could set a set number of animals that have to enter into 17(A) west of the Togiak River, we could put like three

CHAIRMAN O'HARA: Oh, 3,000.

MR. SAMUELSEN: you know, 3,000, 5,000, 10,000 animals, then it opens.

MR. FISHER: Mr. Chairman, could we round that off to a week?

MR. SAMUELSEN: To what?

MR. FISHER: To about a week.

(Laughter)

MR. SAMUELSEN: Oh, now you're back-peddling.

MR. ARCHIBEQUE: Let me clear that up, Robin. Right now -- Aaron Archibeque, Togiak Refuge. Right now the special action we -- it is in place, so, yes, we could open the season tomorrow if there were a significant number of animals in there. That will expire here in April, so there would have to be some resolution or something to continue that. But right now we could open it if there were significant numbers

MR. SAMUELSEN: Yeah.

MR. ARCHIBEQUE: in that unit. And there has -- there was no threshold tied in there. It was when -- I think the exact wording was when there were enough animals in there.

MR. FISHER: Yeah, if nothing's done with 33, then like you say, the season -- it will revert back to what it was before, and the season was closed.

MR. SAMUELSEN: Yeah. Yeah. What did we all mean when we said when there's enough animals, or an adequate number or a

significant number of animals?

CHAIRMAN O'HARA: Yeah. I can't (Indiscernible, simultaneous speech).

MR. ARCHIBEQUE: I don't think anybody knows what that means exactly. I think what we were going to look at was looking at the collared animals that were out there, if we had a high percentage of Kilbuck animals at any given time, then we would probably hold off on that. If we felt like there were a significant number of Mulchatna animals in there to protect that Kilbuck herd, then we would consider opening it. Now, Larry Van Daele under state regulation has the authority to open when -- but he does have a threshold of 10,000 animals, so

MR. ABRAHAM: Well, what we mean by significant number is like I think last year I said it, I think one is you set behind your bank (ph) -- you have a bank here, and try to count, you know, waiting for 10,000 to come by. Well, you know, you might be told to, you know, to go hunt before you get the 10,000, but a significant number is when 18's open, when the animals go through the line there. I mean, what is a significant number? 200? Or 200, not 200 right there is just going to come by and pass back to 18 again. They're migrating animals. They don't stay in one place. Right now I think we'd be lucky if we counted 50 animals, and they'd be gone -- they're still migrating up that way. And that's just like now on the Nushagak Peninsula, the Nushagak herd is open, but the terrain and this is terrible, nobody's going hunting over there. But, see, there's just a few animals right there behind, back up behind Twin Hills. See, if those are left alone, even it's open over there. So far they've been leaving them alone right now. But there is a temptation no matter where you turn, there's always temptation from the young people. If we open 17(A), the temptation will be lessened on over here.

CHAIRMAN O'HARA: And our problem is, if we don't have enough animals in 17(A) still, we don't want it open.

MR. ABRAHAM: Well, see, because Nushagak -- Nushagak is open over there, right?

CHAIRMAN O'HARA: Uh-huh. Yeah.

MR. ABRAHAM: Only the terrain (ph) conditions, they're all right. I'd be the first guy to go to Nushagak Peninsula already

CHAIRMAN O'HARA: Which is fine.

MR. ABRAHAM: because they're not migrating over there, so therefore they have better fat -- they had more fat than the animals up north, because those are constantly moving. They're burning up their energy all the time, while Nushagak herd is not.

CHAIRMAN O'HARA: Robin, did you have a comment?

MR. SAMUELSEN: Well, maybe we're giving -- maybe we're building in false expectations here. It's like having duck season in December in Bristol Bay. If there's no animals there, why are we even going to consider opening it?

MR. ARCHIBEQUE: Well, I think

MR. SAMUELSEN: In 17?

MR. ARCHIBEQUE: I think another thing that everyone should consider is that even under the special action, if today there were a significant number of animals in there and we open the season and obviously these animals are on that boundary, the 18/17(A). If those animals move out two days from now, that season would still be open, so you'd have the same result if those Nushagak animals moved across the river, they'd be open to that as well, under this current situation. Obviously as folks said, we can't regulate caribou in and out of the unit. We don't know what's going to happen. So our working with the state and the recommendation that we provided was to consider 17(A) west of the river up to the 18 boundary as one unit given the fact that we're dealing with these animals on the fringe and they're moving in and out. And it's difficult for us to be in there at any given time and count whatever significant, or

whatever threshold is in there, and make a determination. You have migrating animals that are moving in and out of there, so I think we're still faced with that situation. They could move in, we could open the season, and they could move out and then you'd still have the potential for other animals to go in there and be harvested.

So it's not an easy situation. What we did was, the thing that we were told to do is to get together with folks. Obviously we couldn't come to some consensus. This direction, it's not a management plan. We haven't had public involvement, we haven't been able to get to the committees, given the time that we've had. That's why we're calling it the management direction. It's just something that the area biologists and ourselves were able to sit down and try to get something. So it's more for discussion. But I think there's lots of things here that can happen, and, you know, the thing that we said is we felt like we can look at 17(A) west of the river and 18 as one. Because those are the same animals, whether they're in 18 or in 17(A) west of that river.

CHAIRMAN O'HARA: Okay. Robin still has the floor at this point.

MR. SAMUELSEN: Mr. Chairman, Aaron, if we adopted, or if we approved extending the special action provision, and put 3,000 animals in Unit 17(A), would that take care of the problem?

MR. ARCHIBEQUE: Well, it would take care of my problem. It would give me something to fall back on. I wouldn't have to sit there trying to

MR. SAMUELSEN: And then we ask that a management plan be developed with the same folks that you've been working with, including Nushagak Advisory Committee, to develop long-term goals and objectives for 17(A) caribou?

MR. ARCHIBEQUE: Yeah, we're on that path right now.

CHAIRMAN O'HARA: Okay. Gary had another comment there,

too, and he's come a long way over here to talk to us. If the panel doesn't mind, I'd appreciate hearing him again. You can stay, Aaron, if you like. You can share the mike there. We might want to ask you some more questions.

MR. CARLOS: Mr. Chairman, the points that Robert and Robin brought up, I think need to be addressed, and I kind of wish they'd asked me when I was up here. The Nushagak Advisory Committee, the Togiak Advisory Committee, the Togiak Traditional Council, the Department of Fish & Game, state, and the Department -- or the Fish & Wildlife Service, federal, were the members of this working group. The draft that Fish & Game and Fish & Wildlife came up with, the Togiak Advisory Committee reviewed, Robert reviewed, and Togiak Traditional Council president reviewed. Okay. And these are the members of the working group. The one person who can't agree to it is the Nushagak Advisory Committee. The four people involved are basically on a consensus with what's going on here. We've seen in the Nushagak Advisory Committee that they want to micromanage on the state level the Mulchatna herd. This is the Federal Subsistence Advisory Council, and the goals are different here. You have a federal subsistence need here that is to be addressed by this council, not micromanaging little groups of animals here and there. This is the Mulchatna herd which is coming through, and Larry Van Daele said it very well. He said we don't micromanage these animals. We do them for the good of all the people.

And we are addressing here with our proposal, and trying to -- you know, this is their idea to bring us in 17(A) west of the Togiak River into 18, and use it as part of the Kilbuck. And really if you look at it geographically, Togiak is part of 18. It just kind of was a little oversight when this thing was -- it should have been done back when the Kilbuck management plan was put together.

The people in Togiak are asking for a subsistence season. They are asking the Federal Subsistence Regional Council here for that subsistence season, not to be micromanaged with state goals, but for federal subsistence needs. And I think that's the point that you're missing here.

Four out of the five people in this working group agree with what's here. The person who can't agree is Robert. And I want to point that out, is that, you know, we have a need there, and we've tried to work and come up with something, and we're close. Now,

CHAIRMAN O'HARA: You're repeating yourself now, so make it

MR. CARLOS: Okay. All right. I'm sorry.

CHAIRMAN O'HARA: Yeah? Go ahead.

MR. SAMUELSEN: Gary, I'm not trying to bring state management into the federal process, and I'm well aware of what happened where when I'm sitting up here, the Federal Subsistence Board. But, you know, you're just looking at the residents of Togiak have no opportunity to harvest caribou. Do you participate in -- do your Togiak residence participate in the Kilbuck caribou herd harvest?

MR. CARLOS: On the permit system?

MR. SAMUELSEN: Yes.

MR. CARLOS: No, they haven't I don't believe this last year. Pete might know the answer to that.

MR. SAMUELSEN: But can they participate? Are you allotted -- is Togiak Village allotted

MR. CARLOS: Oh, Togiak, is, yeah. I think you heard my testimony there was 18 villages that have 17 permits this year.

MR. SAMUELSEN: Okay. Is Togiak participants in Nushagak Peninsula caribou herd?

MR. CARLOS: Is Togiak? Yes. Yes.

MR. SAMUELSEN: Okay. And you would agree with me that

Togiakers can also go up into the Nushagak or into the Naknek Peninsula and hunt caribou?

MR. CARLOS: Naknek?

MR. SAMUELSEN: Or over in here. Down Becharof or

MR. CARLOS: For the Mulchatna herd, right.

MR. SAMUELSEN: Yeah.

MR. CARLOS: Yes, they can.

MR. SAMUELSEN: Okay. So there's plenty of opportunity. And you can go into 18 and participate in that hunt also, in Unit 18, right now?

MR. CARLOS: Uh-huh.

MR. SAMUELSEN: Okay. Okay. Thank you.

CHAIRMAN O'HARA: Okay. Robert?

MR. HEYANO: Yes, Mr. Chairman. As far as the Nushagak Advisory Committee goes, you know, Gary Carlo's reference that I can't agree with it, well, we're a multi-community advisory committee. We represent Dillingham, Manokotak, Aleknagik, which can hunt in 17(A).

CHAIRMAN O'HARA: Can?

MR. HEYANO: Can.

CHAIRMAN O'HARA: Can't?

MR. HEYANO: They have c&t determinations

CHAIRMAN O'HARA: Yeah.

MR. HEYANO: to do that.

CHAIRMAN O'HARA: Yeah.

MR. HEYANO: And I'm not sure whether Clark's, Portage Creek, Ekwok, New Stuyahok, or Koliganek, if they have c&t findings. But definitely those other communities. And in order for us to get a meeting together, we can't do it at a spur of the moment, you know. We have -- we're constrained by notice time, and getting the communities together. So I guess in light of who can and can't agree with this is -- you know, I don't agree with Gary's comments.

I think that at our last advisory committee I gave them a report of what took place at the teleconference meeting. I asked the advisory committee if they had any changes from previous direction. They indicated no. So there are -- and that's the position we take. And, yes, we are state advisory committees, but we are also federal. There is no federal advisory committees. We are it. The people in Bristol Bay made that decision when this process was being developed, that the state advisory committees would be the ones also for the federal people.

And you made a comment of the east/west conflict. I don't think so. I would characterize it as difference in philosophy as to how you want

CHAIRMAN O'HARA: Yeah, I know.

MR. HEYANO: game to be managed.

CHAIRMAN O'HARA: Yeah, I meant in knowledge, not in separation.

MR. HEYANO: Okay.

CHAIRMAN O'HARA: Yeah.

MR. HEYANO: And we've always -- and we've taken this position way back when the Mulchatna caribou herd was less than 20,000. There's a minimum objective of 25,000. And not only us, the people from Illiamna Lake also who participated in that

hunt took very conservative views when the herd was starting to expand and grow, because they were moving to different areas, and we wanted to see how far that would go. And we have closures in 17(C) right now today on caribou. That's supported by our advisory committee for the sole purpose of expanding them into new areas, you know, and I firmly because that a result of that conservative action way back when Mulchatna was less than 20,000 animals is why the people in Unit 18(A) for the first time in 100 years have opportunity to harvest those animals. And we'd like to continue that to see where it will go. We're not ready to give up on that philosophy at this point, you know. Like I said, we don't have any problem when there's a large population of caribou in 17(A) to allow a subsistence harvest, not only for the residents of Togiak, but everybody else who chooses to harvest. But the problem we have is how do we protect those small numbers when there isn't that large influx.

CHAIRMAN O'HARA: Okay. Thank you, Gary. And we appreciate your coming up and talking to us, to clarify some thing there.

Aaron, I think we're ready probably here to go ahead and make a decision on what we want to do.

And I want to reiterate that we're not drawing the line between east and west, you know. We want your help -- we want your help in the Alaska Peninsula, just like we need your help in 17(A). And I'm just as concerned about your area as you are about our area. And we don't want in this organization any east or west. And I just said that because of the lack of knowledge on, you know, on 17(A).

Okay. Let's make a recommendation here, and we can tell you federal boys that we will give you a number and an idea of what we want to do. If you've got a week's time, good luck. Yes?

MR. SAMUELSEN: Mr. Chairman, I would like to offer a substitute motion.

CHAIRMAN O'HARA: For sure.

MR. SAMUELSEN: And I just wrote it out here. I move that we extend the special action time frame that's going to expire I believe staff said in April.

CHAIRMAN O'HARA: Uh-huh.

MR. SAMUELSEN: In Unit 17(A). And that when 3,000 caribou are present in 17(A), the special action order will kick in, and the department -- and the staff can open the Unit 17(A) west of the Togiak River.

CHAIRMAN O'HARA: Is that your motion? Second?

MR. ABRAHAM: Second.

CHAIRMAN O'HARA: Okay. Who seconded it? You seconded it, Peter? Okay. Peter seconded it. Okay. Do you want to address your motion?

MR. SAMUELSEN: Thank you, Mr. Chairman. I want the Togiakers to harvest caribou when there's big numbers of Mulchatna caribou west of the Togiak River in 17(A), but if there is a possibility of establishing a herd there in 17(A). If we adopt Proposal 32 and 33 as I read it, there could be 50 caribou in Unit 17(A) and when Unit 18 gets ten to 20,000 animals, 17(A) opens, so them caribou are dead. If we see a migration of caribou from the Nushagak Peninsula or the Kilbuck herd cross west of the Togiak River, it's my understanding they're fair game immediately. So I think, you know, staff has indicated they're trying to develop a long-term management plan for that area, develop goals and objectives. I think it's an on-going process. It's the first time in 100 years that caribou have appeared over there in the last two years. This will give the managers a little breathing room, instead of buzz words as adequate, sufficient, you know, this defines how many animals are going to be in there, and it's going to trigger an opening. And I think that this the way that we should go about it. It's conservative, it's targeting Mulchatna caribou when they're in abundance in that area. And when they're not in abundance, when they're under 3,000, it just won't open. And I'm not -- you

know, I'm no hard and fast on 3,000. I'm throwing this out for discussion purposes.

CHAIRMAN O'HARA: Anyone else like to address the motion that's on the floor? Yeah?

MR. SAMUELSEN: And I'd like to ask staff if this motion does pass, how they see implementing it.

CHAIRMAN O'HARA: I guess Aaron or Mike, who would like to address that?

MR. SAMUELSEN: For further clarification.

CHAIRMAN O'HARA: Did you understand the question, Aaron?

MR. ARCHIBEQUE: Yeah, I think so, Robin. What we've done this year is we've, like I mentioned earlier or last night, was we've made over 12 flights in the area to try to determine how many animals were in there, and we had a representative, namely Pete Abraham, from the Village of Togiak that went along with us. So that's what we would continue to do, and also look to the folks in Togiak if they see a significant number of animals in there, then we would consider opening it as well, so that's what we've been doing right to this point, and we would continue to do that.

CHAIRMAN O'HARA: Aaron, what do you see when you went out the last time, what numbers were you looking at?

MR. ARCHIBEQUE: I'd have to refer that to Mike. He flew the surveys.

CHAIRMAN O'HARA: Just what numbers did you see there this last time when you went out looking and you opened it?

MR. HINKES: I'm not sure what the total was, it wasn't very many in 17 or in the Goodnews drainage. They had already gone.

CHAIRMAN O'HARA: They were already gone.

MR. HINKES: (Indiscernible) in total.

CHAIRMAN O'HARA: Yeah. Okay.

MR. HINKES: Fifty, 60 caribou (indiscernible) in Unit 18. (Indiscernible)

CHAIRMAN O'HARA: Boy, that's not very many.

MR. HINKES: 17. Except for some of the Nushagak

CHAIRMAN O'HARA: Yeah. Okay. Anything else? Yeah, Robert?

MR. HEYANO: I have a question I guess is, is the intent of the amended language that when there's less than -- it takes 3,000 to open. When there's less than 3,000, it will also close by EO?

MR. SAMUELSEN: Yes, Mr. Chairman. It's my intent that when staff sees 3,000 animals, they trigger an opening. They announce the opening by special action. Mike will fly over there a week later or whenever he goes over, and he says a mass exodus moving north out towards Quinhagak or west towards Quinhagak and swinging north and then back east, and he documents an exit of Unit 17. Gets down around 3,000, yes, it closes. Unit 17 will close. 17(A).

CHAIRMAN O'HARA: Okay. That's the motion before us at this time.

MR. FISHER: Mr. Chairman, could I

CHAIRMAN O'HARA: Yes, Dave?

MR. FISHER: interrupt here just for a second? You wouldn't want another special action. This should -- this would just become a regulation and when certain things fell in

place, the regulation would kick in. Do you follow me?

MR. SAMUELSEN: Well, yeah, the reason why I called it special action though is I'd like for staff to develop a management plan over there. I'd like staff to work off this and develop a management plan. So how long would this special action last, I guess that's what I need to know.

MR. FISHER: Well, you wouldn't need a special action. It would just become a regulation, and then the staff could be in the process of working on a management plan.

MR. SAMUELSEN: Okay.

MR. FISHER: One more point. As far as the limit, the current proposal is a two-caribou limit. Did you want to stay with that with your modification, or how did -- or did you want to cut it down or increase it or what?

CHAIRMAN O'HARA: What do you think?

MR. FISHER: Just a point of clarification I had.

MR. SAMUELSEN: Mr. Chairman, I don't care how many, you know. If they're surplus caribou, if they're Mulchatna caribou, they're surplus caribou. And I would like to see the limit raised above two when there's more than 3,000 in 17(A). Make it to what is available in state regs I guess, and

CHAIRMAN O'HARA: What do we have over here, four?

MR. ARCHIBEQUE: Five.

MR. FISHER: Well, you'd probably want it similar to 18, I think, wouldn't you?

CHAIRMAN O'HARA: Five? In January, end of March we have five? Dick?

MR. HINKES: Yeah.

CHAIRMAN O'HARA: That's quite a few.

MR. SAMUELSEN: But they're surplus caribou, so I'd like to see the bag limit raised.

CHAIRMAN O'HARA: Give us a number, put it in the motion.

MR. SAMUELSEN: Mike, do you have a suggestion?

MR. HINKES: Well, that's probably one of the things we'd, you know,

COURT REPORTER: Come up to the microphone, please?

MR. HINKES: The only thing that -- you know, we've tried to make things consistent with Unit 18 in as many ways as we can. And by raising the bag limit above two, that's going to -- you're going to have two different bag limits, you know, for a special action. Now the people on the 17(A) side, you know, could shoot three, four, or five, where the people on the Goodnews can only shoot two under their action over there. So I guess I would just make the recommendation to keep it consistent, whatever.

MR. SAMUELSEN: Two?

CHAIRMAN O'HARA: Two.

MR. SAMUELSEN: Okay.

CHAIRMAN O'HARA: Any other questions? Robert?

MR. HEYANO: Yeah. I guess one other point to clarification, do these 3,000 animals have to be identified as Mulchatna animals?

CHAIRMAN O'HARA: I think that's all that's around.

MR. HEYANO: So you could have 2500 Kilbuck animals, and if you had 500 Mulchatna animals, it still doesn't trigger an

opening?

CHAIRMAN O'HARA: Boy, I don't think that's going to be possible to address.

MR. HINKES: Yeah, I don't think so.

CHAIRMAN O'HARA: We're talking about 3,000 animals. Yeah, Robert? I mean, Robin?

MR. SAMUELSEN: Don't insult me.

(Laughter)

MR. SAMUELSEN: You have classified everything over in the Goodnews area basically as Mulchatna animals, right?

MR. HINKES: No.

MR. SAMUELSEN: No?

MR. HINKES: What

MR. SAMUELSEN: There is a mix then?

MR. HINKES: There is that mix. Out of all the radio collars that we've tracked over there, half of them have been old Kilbucks, collars put out when, you know, there wasn't the overlap going on. The other half have been what we call new Kilbucks, and they were collars that were put out in the Kilbuck area at a time when there was 20 to 40,000 Mulchatnas in there. And so there's a big question mark on the new collars whether they were Kilbuck animals that were collared, or they were Mulchatna collars, and it was probably a mix, because some of those animals I think -- some of those new ones have remained with the main group of the Mulchatna to the east, and some have remained over here. So it would be difficult to try to -- which were Ks and which ones were Ms.

MR. SAMUELSEN: Yeah.

CHAIRMAN O'HARA: Okay. Robert?

MR. HEYANO: Well, I guess that -- you know, and I understand the difficulty sometimes of trying to identify which herd is which. I don't think we'll be doing the Kilbuck herd justice, Mr. Chairman, if we have a number of 3,000 caribou in Unit 17(A), if that's the scenario we're going to be operating under. You know, I think we need to increase the 3,000 upwards if we're going to take a total of -- caribou in 17(A) for the protection of those Kilbuck animals.

CHAIRMAN O'HARA: I think the motion that if it was 3,000 or less, they wouldn't be in the area. If it's 3,000 upward, then there would be a subsistence hunt in the area.

MR. HEYANO: I agree, but those animals could be predominantly Kilbuck caribou.

CHAIRMAN O'HARA: Well, then somebody needs to make, you know, an amendment to the motion if you think those numbers are wrong, and see what happens. Yeah?

MR. HEYANO: Well, and I think to give you a little history on it is why you hear the number of 10,000, the right mix between Mulchatna and Kilbuck at 10,000 probably is acceptable. You know, to give you a little background, when they EO'd 18 this last winter, what was it, 12,000 Mulchatna caribou were documented, and they expected 50,000 into the area. Now, that's the type of numbers they're looking at when they EO 18.

CHAIRMAN O'HARA: Ten, 50.

MR. HEYANO: Well, 12 to 50,000.

CHAIRMAN O'HARA: Uh-huh.

MR. HEYANO: A significant number. And that's looking at the protection of the Kilbuck herd, and to get the right ratio.

CHAIRMAN O'HARA: Well, -- go ahead.

MR. SAMUELSEN: I guess your view, Mike, as the manager, you're best guess will be 3,000 Mulchatna animals in the area. You'll take in the Kilbuck component when you're making that assessment as you're flying around and watching the Kilbuck caribou herd as they're migrating around, and you've got the Mulchatna caribou here, you'll make that -- that's a judgmental call that you'll make at the time?

MR. HINKES: Yeah, if it's specifically to Mulchatna caribou, then, yeah, we'll have to.

MR. ARCHIBEQUE: Well, if I might offer up, you could say a minimum of 3,000 and then consider the ratio of Kilbuck to Mulchatna animals in there. If that clears it up.

CHAIRMAN O'HARA: Robert, buy off on that?

MR. SAMUELSEN: Just a minimum of 3,000 Mulchatna caribou?

MR. ARCHIBEQUE: You would have to have a minimum of 3,000 in there.

MR. SAMUELSEN: Okay.

MR. ARCHIBEQUE: If that's what you're looking at.

MR. ABRAHAM: Mr. Chairman, on our flights, on our 12 flights over there, have we seen -- I mean, have we seen 12,000 Mulchatna come by or 3,000, and 3,000 Mulchatna herd come by, or have we seen 3,000 Kilbuck come by? I mean, according to the radio contacts we had?

MR. HINKES: Yeah, like I said, it's been a mix.

MR. ABRAHAM: Yeah.

MR. HINKES: About an equal mix of

MR. ABRAHAM: This -- yeah, you know,

MR. HINKES: It's

MR. ABRAHAM: during our flights and everything, you know, we -- because I asked Andy that, and these guys. No, we cannot actually tell which is which, because we see radio beeper over there, that's Kilbuck, and radio beeper over here, it's Mulchatna, and they're going this way and they're all going thataway. I mean, it's tough to tell which is -- I mean, you've got to land down there and ask them where they're from.

(Laughter)

CHAIRMAN O'HARA: Do they all speak the same language?
Robert?

MR. HEYANO: Yes, Mr. Chairman. The concern I have is for the protection of the Kilbuck herd. You know, there's been a lot of time and effort by other people involved in developing a management plan and a management strategy, and I just don't want to jeopardize that whole process by saying 3,000 caribou, it's a hunt.

CHAIRMAN O'HARA: Okay. I think we

MR. HEYANO: That's my concern.

CHAIRMAN O'HARA: probably discussed this to the point of where we need to make a decision now. And so I'll call for the question. Nobody's offered an amendment. Call for the question.

MR. SAMUELSEN: Question.

CHAIRMAN O'HARA: All those in favor say aye?

(Ayes: Daniel O'Hara, Sam Stepanoff, Peter Abraham,
Robin Samuelson)

CHAIRMAN O'HARA: Opposed.

(Nays: Robert Heyano, Tim LaPorte)

CHAIRMAN O'HARA: Two opposed, one, two, three, four of us for it. Two against it.

MS. EAKON: Okay. Who opposes? Heyano and

CHAIRMAN O'HARA: Robert and Tim opposed. And the motion passes.

MR. SAMUELSEN: And a break.

CHAIRMAN O'HARA: Break? Good idea. Take a ten-minute break.

(Off record)

(On record)

CHAIRMAN O'HARA: All right. I'll ask the Council members to come. We have a couple of items to take care of here. Okay. We'll call the meeting back to order. We did not address the dates on this issue of -- or on this particular proposal we're talking about here, so, Robin? Robert, excuse me.

MR. SAMUELSEN: Thank you, Mr. Chairman. It was my intention to include the dates should be from August 1st to March 31st.

CHAIRMAN O'HARA: August 1st to March 31st?

MR. SAMUELSEN: Yes.

CHAIRMAN O'HARA: Is that the motion? Okay. Second?

MR. HEYANO: Second.

CHAIRMAN O'HARA: Any discussion? Yes.

MR. SAMUELSEN: It doesn't matter really what date is in there. What triggers it is how many caribou are there, and once they hit 3,000. So if August 5th the 3,000 minimum is present in 17(A) west of the Togiak River, then the period opens on August 5th. But anytime between August 1st and March 31st when that number, minimum, is present, the opening occurs.

CHAIRMAN O'HARA: All in favor say aye?

IN UNISON: Aye.

CHAIRMAN O'HARA: Opposed?

(No opposing responses)

CHAIRMAN O'HARA: Okay. We have unanimity there on that one. Okay. We would like to come back and visit one of Lee Fink's proposals on the brown bear permit hunt up in the Lake Illiamna area. And, Lee, if you wanted to come up to the platform here and sit at the mike, you can. Robert's going to help -- Heyano, is going to help us clarify this. Robert, we could turn it over to you to kind of clarify this issue on the brown bear thing up at Lake Illiamna on BLM lands?

MR. HEYANO: Yes, Mr. Chairman. I guess it was brought to my attention that what exactly was our intent when we allowed the harvest

COURT REPORTER: Excuse me, could you turn the microphone to you?

MR. HEYANO: The harvest of ten brown bear for those five communities, and it was always my intention even at previous meetings that what we're talking about is Lake Clark Park and Preserve, and I think that's by having those five communities decide how those ten permits were going to be issued, reinstates what our original intent was. And that's all the land we intended for those ten brown bear to be taken.

CHAIRMAN O'HARA: The land in the purple up there?

MR. FINK: Mr. Chairman, Lee Fink from Lake Clark National Park. That is correct. That would be just the land in purple. The lands that we're kind of concerned with now would be the lands in orange down around Kaskanek in the lower, the Kvichak. Those are BLM lands, and we never really intended for those lands to be incorporated in this.

CHAIRMAN O'HARA: But nothing's sacred about BLM lands, though. It could happen on BLM lands?

MR. FINK: Nothing sacred particularly, but for the most part they're outside of the traditional subsistence areas for most of those communities. Illiamna and Newhalen comes close to maybe the northeastern most piece there in green -- or the orange piece. But that was not the intent of

CHAIRMAN O'HARA: No. No.

MR. FINK: our, you know,

CHAIRMAN O'HARA: As long as we get -- yeah, we understand that. That's fine. If run out of animals and you look at some federal land some place, that's a whole different ball game. Okay. Thank you very much. Do we -- we don't need action on that as long as we understand that that was the way it reads, and it's in the minutes that way, we'll be fine?

MR. FINK: Yeah, I might defer to Helga on that, but, yeah, as long as it's clear that it's in the minutes that way, it probably does not need action.

CHAIRMAN O'HARA: Uh-huh.

MR. FINK: Just that when we would write it up to go to the Federal Board, that's the way it would read.

CHAIRMAN O'HARA: Okay.

MR. FINK: Clearly, so

CHAIRMAN O'HARA: When we go to the Federal Board and

that issue comes up, we'll make sure that we reinstate that. I know John will help up with that big time in Anchorage. We'll be in good shape. Thank you. Appreciate it.

Okay. Helga, give us the next proposal that we need to deal with here?

MS. EAKON: Yes, Mr. Chairman, the next proposal you're going to talk about is Proposal 34. This was proposed by the Nushagak Peninsula Caribou Planning Committee, and it would extend a recent special action opening of the Nushagak caribou permit hunt a month earlier for December 1 through March 31st, and add an August 1st through August 30 season, and Dave Fisher has the lead on this.

CHAIRMAN O'HARA: Okay. Dave, you're on.

MR. FISHER: Thank you, Helga. I don't really have a whole lot to say here, other than this proposal would extend the fall season, and -- establish a fall season and extend the winter season. Aaron discussed the -- a little bit of the harvest when he gave his presentation yesterday. The villages eligible to participate in this permit hunt include Togiak, Twin Hills, Manokotak, Aleknagik, Dillingham, Clark's Point and Ekuk.

As you recall, the winter season of January 1 to March 31 was changed to December 1st to March 31st through a special action last September, so this proposal would make the season change a permanent regulation. And the staff recommendation was to support the proposal.

CHAIRMAN O'HARA: Okay. Helga? Thank you, Dave. Did anybody have any questions of Dave at all? Okay. Thank you.

MS. EAKON: The program received three written comments on Proposal 34. The Alaska Department of Fish & Game went on record to support Proposal 34. They stated that the Department has been a member of the cooperative management team for this her and supports an agreement that the local residents have first opportunity for harvesting caribou from this herd.

The Kwethluk Joint Group in Kwethluk, Alaska, supports this proposal.

A Mr. Joe Sonneman from Juneau wrote that if the object is to harvest or permit a harvest of up to a definite number of caribou, then the season should end when that number has been harvested, not based on the number of days when harvesting is permitted.

That concludes the written comments on this proposal.

CHAIRMAN O'HARA: Okay. We don't have any blue cards on this at all I don't think. Let me see here. Oh, yes, 34. Gary, you are down for 34. Did you want to address that issue?

MR. CARLOS: I'm sorry, it should have 32 and 33.

CHAIRMAN O'HARA: Okay. I'll just scratch 34 then. Okay. No other comments have come in, so, Helga, I think we're ready to turn this over to the Council and see what their wishes are?

MS. EAKON: Yes.

CHAIRMAN O'HARA: What's the wishes of the Council on this? Yeah?

MR. HEYANO: Mr. Chairman, I move for adoption of Proposal 34.

MR. ABRAHAM: Second.

CHAIRMAN O'HARA: Okay. Would you like to address your motion?

MR. HEYANO: Yes, Mr. Chairman. This amended dates for the proposed hunt was supported by the cooperative management team. As you all know, that the winter conditions in the last couple of years has prohibited most of the hunting activity in this area. An extra month in March would maybe encourage some of that harvest to take place, plus the month of August would

add additional opportunity. These hunts are conducted by permits, so the number of animals taken would not exceed the recommended level for protection of the herd. And by allowing additional time, it should spread out the effort and have a lesser impact on the animals.

CHAIRMAN O'HARA: Any other comments by the Council?

MR. SAMUELSEN: Question.

CHAIRMAN O'HARA: All those in favor say aye?

IN UNISON: Aye.

CHAIRMAN O'HARA: Opposed?

(No opposing responses)

CHAIRMAN O'HARA: Okay. Passed. Thank you. Next proposal, Helga?

MS. EAKON: Yes, Mr. Chairman, the next proposal would address sheep in Unit 9. It's a c&t proposal, and therefore Mike Coffing has the lead on this.

CHAIRMAN O'HARA: Okay.

MR. COFFING: Mr. Chairman, Mike Coffing, Fish & Wildlife.

The proposal and staff analysis is on page 42 of your red book. This is a proposal that was generated by comments in a letter written by the Bristol Bay Native Association in March of 1992. Those comments briefly addressed the topic of sheep and suggested that residents of Unit 9(B) should be eligible for c&t uses of sheep in Unit 9(B). Last fall most of you recall that when you went through your backlog and your priorities, you established -- identified sheep as one of your priorities for us to address.

Most of the lands in Unit 9(B) that are affected by this

proposal, and that's -- what I mean by that is those lands, federal lands in Unit 9(B) where sheep occur, are primarily within the Lake Clark National Park and Preserve. There are eight communities located in the unit. Those are listed on the bottom of page 42 in table one. Five of those communities are within the resident -- are identified as resident zone communities. Illiamna, Newhalen, Nondalton, Pedro Bay, and Port Alsworth are eligible to subsistence hunt within the park boundaries, and those are the only communities eligible to hunt within the park boundaries.

CHAIRMAN O'HARA: Is that all you have to say?

MR. COFFING: Just a chance for the jet noise to quiet down

CHAIRMAN O'HARA: Okay. All right.

MR. COFFING: I can hear you. Okay. I also wanted to mention that Lime Village is also a resident zone community, but when we looked at the map data for Lime Village, the maps that were developed by Priscella Kari back in 1983 indicated that Lime Village did not -- did no longer come over into 9(B) and hunt for subsistence, so that's why they're not included in this analysis.

I'm going to go through the eight factors now. And I mention here that Wendell Osgood mentioned -- or reported that the people of Lake Clark and the Lake Clark region took sheep in the mountain areas between Lake Clark and Cook Inlet. Work that Steve Behnke did up in the park back in 1978 also discussed the importance of sheep to the residents of Nondalton and other Dena'ina communities in the past, especially when other resources weren't available or abundant as they are today, such as moose and caribou.

Work that was done by Linda Ellanna when she interviewed Nondalton folks, they reported to her that when they were young, back in the early 1900s, that they had to travel a long ways from their community to find large game, because moose and caribou were not abundant then.

There is not a lot information that I could find that describes historical uses of sheep in Unit 9(B), but there is quite a bit of information for the community of Nondalton. That information indicates that Nondalton hunted sheep during the fall primarily from mid October to the end of October, and were an important resource to the people then. Priscella Kari also reported the Dena'ina folks value sheep that were taken in the late fall, that the sheep hides were important for winter clothing, and sleeping bags, and as food was also used.

Judy Morris with the Alaska Department of Fish & Game, who used to be with the Department of Fish & Game, Subsistence Division, gathered some information from villages in the Lake Illiamna region, and she found out that communities hunted sheep primarily from early August until late September at the time she was doing her work in the mid to early 80s.

There are basically two types of information that I found that describe which communities hunted, where they hunted and what their harvest was. And those two sources of information are harvest ticket data from the state, and recently harvest ticket information from the federal sheep permits that were issued last issued, beginning last year. The other type of information is data collected through the Subsistence Division, Department of Fish & Game, community surveys, where they go in and do harvest surveys in households and interview folks.

I want to also mention that last fall, the last regulatory cycle, the federal season for sheep hunting in Unit 9(B) was extended to October 10th, and that was extended to better coincide with traditional harvest timing by people that hunted sheep up there. Harvest data, complete harvest data anyway for the 1995 fall hunt were not available at the time I was writing this analysis.

Linda Ellanna in describing Nondalton's use indicated that sheep were hunted while people were out trapping, while they were looking for moose and caribou. Hunting activity also occurred in the falltime when people were up at the end of the lake looking for spawned out sockeye salmon to put up.

Much of the hunting activity as she reported, you know, occurred on foot. People climbing the mountains. They would use boats and skiffs to access areas near sheep hunting locations along Lake Clark and Little Lake Clark. Traditionally much of the hunting access was by foot and by dog team. Dogs were used to pull sleds and also to pack animals. As I mentioned before, hunters travelled to the head of Lake Clark by boat, and they hunted the areas on foot. Much of this of this occurred during October in association with fish camp activities. Families would typically go up to the head of Lake Clark in the falltime, in October, and put up spawned out sockeye salmon, and the women would process the salmon and the men and some of the village boys would hike up the hills and harvest sheep.

Specific areas used by Nondalton residents included Sheep Creek. That's near the outlet of Little Lake Clark, Kontrashibuna Lake, and a creek north of Current Lake -- or Current Creek, excuse me. There's some figures in your analysis there that show areas used by Nondalton for hunting.

Sheep hunting areas for other communities in the Illiamna region are less well documented than for -- in comparison with Nondalton documentation. Based on information collected by Judy Morris in 1982 and 93 when she was describing uses by communities in the Illiamna Lake region, it appears that Port Alsworth does hunt in the vicinity of Lake Clark, figure three depicts that. The map data that Judy Morris also collected, and I should mention here that those mapped areas depict areas used from 1962 through 1982. It's a 20-year period, so -- mapped information for Illiamna, Newhalen, Pedro Bay, Igiugig, Kakhanok residents indicate that they do not use the immediate Lake Clark vicinity. Those are figures four through figure seven. And those map figures aren't specific to sheep. They're essentially subsistence hunting areas for all species.

There was some information that came in to us, actually to Lee Clark who passed it on to me, from a Kakhanok resident who indicated that residents of Kakhanok, some of their families

have had a tradition of hunting sheep up in Unit 9(B), and that hunting of sheep up there declined when moose and bear numbers increased. The harvest ticket data did not show Kakhanok hunting up in that area, and the thought is that the possibility is that the fact that Kakhanok is not included as a resident zone community in the Lake Clark National Park and Preserve may have led Kakhanok people to feel that they could not go up there and hunt. They could have hunted in the preserve, but they may have -- in misunderstanding the regulations may not have known the preserve was open to them, and they have assumed that they couldn't go up there and hunt. That may be an explanation for why they're not showing up in the harvest ticket data.

A little more than 25% of the land in Unit 9(B) is federal public land, and most of that federal public land is within the Lake Clark National Park and Preserve. About a little over 14% of it is managed by the Bureau of Land Management.

Data collected by the State Department of Fish & Game, Subsistence Division from 1983 to 1992 indicates that there's a relatively low participation in sheep hunting. Three communities, specifically Levelock, Nondalton and Port Alsworth, reported hunting sheep to the Division of Subsistence when they were doing their surveys up there.

CHAIRMAN O'HARA: Levelock?

MR. COFFING: Levelock. Uh-huh. As I recall, it was one household.

CHAIRMAN O'HARA: Uh-huh.

MR. COFFING: Households in Newhalen report using sheep that they received from other hunters in other communities, and the seasons at the time, the state seasons were August and September, and that may have contributed -- that August and September season was not traditionally when people hunted sheep, and that fact may have contributed to the low reported harvest effort up there.

Table two shows you what the harvest ticket data looks like for the communities, which communities are showing up in the harvest data base. That's on page 53. So of the -- and actually I've added what little 1995 data we had. There are 36 individuals that reported hunting, and there were 21 individuals that reported harvest success, so the total harvest success was 58%. Approximately 90% of the harvest that's coming -- that's being reported on the harvest ticket system are by people who are accessing the area by boat. One hunter from Port Alsworth reported using aircraft to hunt in the sheep hunting areas.

And most of the harvest occurs, and if we look on page -- it's actually page 52, it's the page just previous to table two. There's a map there that shows Lake Clark, Illiamna Lake, and what I've identified in the bold line borders are some uniform coding units where the harvest is taking place. And just to the -- almost directly east of Port Alsworth is Uniform Coding Unit 0603. In that unit you can see that we have reported harvest effort by Port Alsworth, Nondalton, Illiamna and Pedro Bay. The number to the left, for example, Port Alsworth, 23 and then a diagonal mark and a 13, there were 23 hunters that attempted, 13 were successful. Nondalton was five that hunted, three were successful. Six for Illiamna, three of those were successful. One Pedro Bay hunter who hunted and was successful.

CHAIRMAN O'HARA: What about that guy from Naknek?

MR. COFFING: There is effort down in another uniform coding unit for Naknek, and that's Uniform Coding Unit 0501 for Naknek. And that was in 1983. One person hunted, no success. The harvest ticket data did not indicate which month that person hunted, or what the access method was. I'm assuming it's probably aircraft, but I don't know that.

Nearly all of the coding unit 0603 where much of the harvest ticket takes place is federal public land, and also is much of the Tazamina Lake drainage.

What I have left here is basically information that somewhat applies to any subsistence activities: methods of

handling and preserving the meat and the hides, sharing and distribution, passing down of knowledge, and a pattern that relies on a diversity of fish and wildlife resources. That information indicates that people used the hides for making clothing and blankets and sleeping bags and so forth. Sheep horns were used for making utensils. Meat was kept cool in the falltime. You'll recall that people were hunting primarily in October traditionally when the weather was cool, and preserved until it could be eaten. And sheep meat is prepared in various ways similar to how people are preparing caribou and moose and other traditional foods.

Hunters learn about sheep hunting from their elders, from being involved in the hunting activities, listening, watching, observing, and participating in the hunting efforts. Much of the knowledge about where sheep are found traditionally, where the trails are at, ways for accessing the terrain are passed down by elders who are teaching young hunters where to go and how to hunt. Similarly, knowledge of processing the meat and the hides, making clothing and other uses are passed down as well from people that are experienced in doing those sort of things.

Nearly 4% of the households in Newhalen reported receiving sheep meat in 1991 when the Subsistence Division -- based on Subsistence Division data, so sheep is shared and distributed throughout the community. Traditionally, hunters from Nondalton would go out and hunt for several families. It may not have been every family that went hunting, but several families did, and what they harvested they brought back and shared with other households throughout the community three.

Steve Behnke in his work in 1982 indicates that people throughout the Illiamna Lake region, as far as the Upper Nushagak River receive sheep meat from people in Nondalton.

Table three is simply a table that helps to illustrate the diversity of fish and game, wild resources harvested by people in the region. Not surprisingly, salmon is a large part of that harvest, followed by large mammals and other fish, marine mammals, small game, and, of course, wild berries and

plants and food products from the land.

Well, the conclusion here is that based on the data is that residents of Illiamna, Newhalen, Nondalton, Pedro Bay and Port Alsworth should be determined eligible for subsistence uses of Dall sheep in Unit 9(B). There's information from a Kakhanok resident that there -- at least some families in that community have traditional ties to hunting sheep in Unit 9(B), and again at the time I was writing this analysis, I was hoping that we might be able to get a resident from Kakhanok to the meeting to talk to you more about that, describe more of that use. And I'm sorry I don't have information about Kakhanok's use, but there is information that they have used the area.

The available information shows that residents of Nondalton certainly and some of these other communities have used sheep and have hunted for sheep on federal lands in Unit 9(B). Information through either the community-based surveys that Division of Subsistence has conducted or the harvest ticket returns also show that residents of Illiamna, Nondalton, Pedro Bay, and Port Alsworth harvest sheep on federal lands in Unit 9(B). And residents of Newhalen, although there's not harvest information

And actually I guess what I need to mention here is that there in fact may be harvest ticket information for Newhalen, but the harvest ticket data base that's used by the Fish & Wildlife Service and the Fish & Game Department incorporate Newhalen and Illiamna in one community, Illiamna. So when you see Illiamna in the table, that in fact may also include some Newhalen residents.

The available information for the communities of Igiugig and Levelock does not indicate that residents of those communities have harvested sheep in Unit 9(B), and I did mention that there was I believe one household through the Division of Subsistence surveys that had harvested sheep up in that area, but the harvest ticket data did not show that.

I think that's all I have. I'll leave it with that. I think the analysis written out, and what I've given you is about

all I have to offer you on that. I'll be happy to answer any questions you might have.

CHAIRMAN O'HARA: Council members, any questions? Comments? Okay. I have one here that -- on your justification, if you were to go with any information from someone from the Kakhanok being able to be eligible, and then i notice you have a provision down here under justification that says the last paragraph on page 55, it says under justification, additional information to be provided to the Council by residents of Igiugig and Levelock would be worthy of consideration as the Council makes a recommendation on this proposal.

MR. COFFING: Uh-huh.

CHAIRMAN O'HARA: Levelock's a little far fetched. People from Igiugig have come from Newhalen and down in that area. Some of the people in Igiugig come from Naknek. There's a possibility that Kakhanok might be involved in becoming part of the subsistence use of that. It's called Lake Clark National Park and Preserve,

MR. COFFING: Uh-huh.

CHAIRMAN O'HARA: the purple area you're talking about up there, Lee? Uh-huh. I don't know if I'd want to include Levelock in it, but if you include Kakhanok in it, I would think you would include Levelock -- I mean, Igiugig in it also. That's my thoughts. I don't know what Lee thinks or

You know, you're going back with -- you talked about data that you have on what people did in subsistence before your permitting system, and when I was growing up on Lake Illiamna, I was born up there in 1939, the moose were just beginning to move into the area. They had begun harvesting them. But I remember people talking about when they got a moose, they didn't even know what they had gotten when I was a boy growing up, I mean. This was the generation before me had gotten a moose, and they didn't even know what they had gotten. But it didn't take them very long to figure out that it was pretty good, and so they

kept getting them, you know. And people travelled around with the two-hole bidarkis, we call them kayaks, and John Branson has a lot of documented information on people's travels. Even from Lake Oldeliana (ph) over to the Port Olsworth area, or Lake Clark I should say. So I don't think we ought to close the door totally on it.

The only other thing would be I think this Council right here is very conservative on the animals taken, and making sure that the resource is taken care of first of all. I don't care what kind of c&t we have, if you don't have any animals, it's not going to be worth it anyway. So when we put this into place, I think we maybe should leave the door open a little bit along that line to try to figure that out. Although I think Levelock would be very far fetched. That's just my thoughts.

Are we -- we're finished now with the staff report?
Okay.

MR. COFFING: Yes, sir.

CHAIRMAN O'HARA: And no questions, no more questions? Well, thank you. That was very informative. We appreciate you giving us all that information.

Helga, what did you have in the way of

MS. EAKON: One public comment, and that was from Joe Sonneman of Juneau. He said no to this proposal, insufficient information.

CHAIRMAN O'HARA: He said what?

MS. EAKON: Insufficient information.

CHAIRMAN O'HARA: He said no comment?

MS. EAKON: He said no to this proposal.

CHAIRMAN O'HARA: Oh, he said no to this proposal.
Okay.

MS. EAKON: Yes.

CHAIRMAN O'HARA: Okay. Yeah, Tim?

MR. LaPORTE: One thought I have is that if the only people that can hunt up in the Lake Clark National Park and Preserve are residents of the five user zone communities, so

CHAIRMAN O'HARA: Uh-huh.

MR. LaPORTE: and even though there's a c&t finding that showed that Kakhanok and maybe some of the other villages did have some prior use to it, how would that affect who could -- I mean, that's where the sheep are going to be is up in Lake Clark.

CHAIRMAN O'HARA: Yeah, in Lake Clark. Yeah. Only in one area pretty much.

MR. LaPORTE: Pretty well, but

CHAIRMAN O'HARA: Half the lake on up to the headwaters of the Park -- I mean, of the pass there where it begins is the only place you're going to find sheep, right?

MR. LaPORTE: Uh-huh. Well, I don't know, maybe Lee can answer this, too, but possibly some up in the Pedro Bay, up behind Pedro Bay Hills, in the mountains of Knudson?

CHAIRMAN O'HARA: Maybe in the area of the Tazimina Lake.

MR. LaPORTE: Which would be outside of the park.

CHAIRMAN O'HARA: Oh. Upwards in those hills there, there's possibly animals there, and that's outside of the park? But that's in the preserve?

MR. FINK: Yeah. Do you want me to say a couple words

about that?

CHAIRMAN O'HARA: Yeah, that would be good.

MR. FINK: Lee Fink, Lake Clark National Park.

There's a couple of things. Maybe I'll just make a couple statements that I've been thinking about, and then I'm not sure what the direct question is here.

When we -- Mike was at our SRC meeting in January, and the SRC's -- I felt that that they were -- their feeling was there was not significant use from Igiugig up into that area traditionally. Most of the people, you know, as a village entity, most of the people that -- the few people that did maybe hunt sheep kind of came along in a hunting party of people from Nondalton or Illiamna or Newhalen. They were kind of invited to join in this hunting party.

There is some family, a little bit of family history from Kakhonak, but again it's mostly a relation. Nealsons who -- Gary Nealson who provided the testimony that Mike was speaking to has some relatives that have lived up in the Port Alsworth area, and so it's very limited use.

And what Tim said, of course, is very important. If you don't live in one of the resident zone communities, then you're not eligible to hunt in the park. There's a small preserve area, if you look at that map, on -- right at the upper Tazimina Lake -- maybe I can just point to it. I'll just step away a moment.

CHAIRMAN O'HARA: Okay. Show us Lake Clark?

MR. FINK: Okay. Here's Lake Clark, Port Alsworth. Up here is Tazimina here, Upper Tazimina.

CHAIRMAN O'HARA: Okay.

MR. FINK: Kakhanok is over here. This is in the preserve but out of the park, and there are sheep up in that

area.

CHAIRMAN O'HARA: And who can hunt in the preserve?

MR. FINK: Well, the preserve

CHAIRMAN O'HARA: It's not tied to Port Alsworth, Nondalton, Pedro Bay, Illiamna, Newhalen?

MR. FINK: That is correct.

CHAIRMAN O'HARA: Okay.

MR. FINK: You could live outside one of those resident zone communities and hunt in the preserve.

CHAIRMAN O'HARA: Okay. So that's close enough. There's sheep in there, and there's a possibility they want to go there. They can go there. I think that covers it as far as I'm concerned. Yeah. I don't think we ought to open up the other. It's just -- it's pretty well -- the lines are drawn I think on that one. Okay.

MR. FINK: There is one other way, I don't want to make a big issue of this, but there's one other way that this could be addressed. If you do not find c&t for those villages, for Kakhanok in particular, an individual could, that has customary and traditional use, could apply for a 1344 permit. And that would allow somebody who lived out of one of those resident zone communities, who had -- who could show customary and traditional use patterns to apply to the superintendent of the park for a special permit where that -- not everybody in that community, but just that individual family would then have eligibility in not only the preserve, but in the park.

CHAIRMAN O'HARA: Uh-huh. So if we were to make a motion today, this is something that we ask the staff to clarify for us, and we wanted to address today. If we do go ahead and address this today, it doesn't necessarily slam the door shut completely, but it will help clarify a lot of things that we have in mind, and clean up the issue so that we can deal with

it. Any questions? Thank you.

We didn't have any other public comments. We have no blue cards. What is the wishes of the Council at this time on this proposal? Are you satisfied with the information that's given as far as people who are eligible to participate in this and c&t findings and everything? This is an action proposal. We can either stay here a day and a half longer, or we can get to work on it.

MR. STEPANOFF: I hear you, boss.

CHAIRMAN O'HARA: Okay.

MR. SAMUELSEN: I think the plane is 5:30.

(Laughter)

MR. HEYANO: Mr. Chairman?

CHAIRMAN O'HARA: Ready?

MR. HEYANO: Maybe just a little discussion on where we want to go, Mr. Chairman, before a motion. The way I understand the proposal, it wants all residents of Unit 9(B), is that correct?

CHAIRMAN O'HARA: It what?

MR. HEYANO: The proposal is asking for all residents of 9(B)

CHAIRMAN O'HARA: Uh-huh.

MR. HEYANO: have c&t findings?

CHAIRMAN O'HARA: Uh-huh.

MR. HEYANO: From what I understood kind of through the discussions of this body is that that's not necessary what we'd like to do at this time?

CHAIRMAN O'HARA: What I understood it to be, Robert, is Nondalton and probably Illiamna and Pedro Bay and Port Alsworth are pretty well users of the -- in the park and preserve, period. I don't think there's any question on those, do you think, Tim? That's pretty well cut and dried. A marginal thing with Kakhanok maybe, Igiugig really using your imagination, I think Levelock is totally out of the picture. There is a little part of the preserve that Levelock and Kakhanok can go to if they really want to get a sheep. There is a window of opportunity if they petition the superintendent from those two communities, if they really want to go up there and he deems that they can have some, you know, some possibility of a tie to that, they could do that. I think that's where we're at. Yeah.

MR. HEYANO: Thank you, Mr. Chairman. I guess hearing that, I move that we adopt an amended Proposal 35 that would include the rural residents of Illiamna, Newhalen, Nondalton, Pedro Bay, and Port Alsworth.

CHAIRMAN O'HARA: Okay. Second to the motion?

MR. STEPANOFF: Second.

CHAIRMAN O'HARA: Any further -- did you want to address your motion at all?

MR. HEYANO: Yes, Mr. Chairman. I guess listening to the information that's been provided to us today, it's pretty clear that these communities do meet all the requirements for customary and traditional use. By adopting this proposal, including these communities, I'm not making the decision that the residents of Kakhanok are not eligible. It's just that at this time I don't feel comfortable making that determination based on the information that's presented forth, and I think I'd reserve that decision at a later date, if and when additional information comes forth.

CHAIRMAN O'HARA: Okay. Any other Council member wants to address the proposal? Call for the question?

MR. LaPORTE: Question.

CHAIRMAN O'HARA: All those in favor say aye?

IN UNISON: Aye.

CHAIRMAN O'HARA: Opposed?

(No opposing responses)

CHAIRMAN O'HARA: Okay. Thank you. Next proposal, Helga?

MS. EAKON: The next proposal to discuss is Proposal 36, which would add a c&t finding for Quinhagak to the current determination, and Mike Coffing again has the lead.

CHAIRMAN O'HARA: Mike who? Again, Mike?

MR. COFFING: Yeah, thank you, Mr. Chairman, Council. Mike Coffing.

This proposal analysis is on page 58 of your book. This proposal was actually initiated from Quinhagak, through a regional council member at Eek, who then brought the concerns to the Yukon-Kuskokwim Delta Regional Council. The proposal then came out of the Regional Council last fall, the Y-K Delta Regional Council.

Current determinations for c&t uses of moose in Unit 17(A) are for those residents of Unit 17, that's all of 17, residents also of Goodnews Bay, residents of Platinum, and residents of Kwethluk. This proposal requests that Quinhagak be added to that list of communities eligible.

CHAIRMAN O'HARA: Quinhagak petitioned to do this?

MR. COFFING: Pardon me?

CHAIRMAN O'HARA: Quinhagak petitioned to do this? They want in?

MR. COFFING: Quinhagak contacted Mr. Steve White, who is a council member in Eek. Then the proposal was then generated from the Council.

CHAIRMAN O'HARA: Okay.

MR. COFFING: Uh-huh. Quinhagak residents report that, and it's a report -- I went down there in December and talked to folks. I couldn't find really much information. The season hadn't been opened for a long time, so there hadn't -- wasn't any harvest ticket data for Unit 17(A) moose. And we had not done a community based study that included moose in Quinhagak. So in December I went down and talked to some folks to try to gather more information about their uses there.

Quinhagak residents report that they have a long history of use of subsistence uses of lands in Unit 17(A). They access Unit 17(A) from mountain passes up through the Kanektok River, over to the Goodnews River, and then up to the headwaters of Unit 17. I did find some documentation nearly 100 years old that reports Quinhagak people that were actually hired by U.S. Geological Survey as guides to carry them or show them the way up the Kanektok River and over the mountain passes and coming down into the Bristol Bay drainage of Togiak River.

Some of the people that live in Quinhagak today used to live in Twin Hills. Many of the people that live in Twin Hills, they are from Quinhagak originally. There are close ties between both of the communities.

Elders in Quinhagak reported to me that although moose are a relatively recent arrival in the area, when they were up in Unit 17(A) and up in eastern Unit 18, that they would harvest moose opportunistically and occasionally as they came across them.

I mentioned that the moose season hadn't been open in Unit 17(A) for quite a while. December 1980 was the last time the moose season was open there. Residents in Quinhagak, although the moose season is closed, do continue to go into Unit

17(A) to hunt fur bearers, for trapping wolves, wolverine and other small game.

Much of the access to Unit 17(A) occurs primarily during the winter via snow machine. Residents of Quinhagak report going to Twin Hills and hunting with people in Twin Hills, traveling up the Togiak River, and hunting up on the lake and up the Togiak drainage in the falltime. Of course, people hunted the same way when they were living in Twin Hills, then moving back to Quinhagak.

Residents reported going as far upstream as Upper Togiak Lake, which is north of Togiak Lake, and hunting during September and October, in the fall. People would hunt caribou over in eastern Unit 18 during February and March. That was reported by the Division of Subsistence, Department of Fish & Game. They would hunt for moose and caribou and other animals.

The mapped information that I could find available that was put together by the U.S. Fish & Wildlife Service. In 1985, or leading up to 1985, the Yukon Delta Refuge in preparing its comprehensive conservation plan for the refuge mapped subsistence uses areas in many of the communities on the Delta. And when I went through that map information, I could not find any map data that indicated that residents from any other Unit 18 communities except Goodnews and Platinum and Quinhagak, there wasn't any information for any other resident -- or Unit 18 resident communities having -- going into Unit 18, or Unit 17(A) for moose hunting.

Subsequent to the work done in 1985, Division of Subsistence data collected in 1986/1987, it was written up in 1991, did show that Kwethluk went into Unit 17(A) and hunted for moose there, and caribou, and that data resulted in the Board of Game adding Kwethluk to the determination for moose in Unit 17(A) in 1989.

I mentioned that hunters harvest moose when they're hunting for a variety of big game species including caribou and bear and wolf, wolverine, the fur bearers. I also mentioned that much of the access to Unit 17(A) is up the drainages, over

the headwaters, into the passes and down into the drainages of the Togiak drainage. Residents do go up the Kanektok River, which is located at Quinhagak. They do travel up the Kanektok River by boat in the falltime. There are -- there's an area where the Unit 17(A) boundary comes relatively close to the Kanektok drainage, and people travel up the Kanektok, up Klak Creek to a lake, and park their boat and walk over a hill and they're in Unit 17(A). And people do go up there and hunt for caribou and other resources in the falltime.

The map on figure one there actually shows where that lake is at, and it would be nice if I had a color printer and a color map, this would be a lot easier to see, but just south and east of Quinhagak -- Quinhagak is located just to the right of the word Kuskokwim Bay. South and east of Quinhagak you see some handwriting. Nagugum Lake, with an arrow pointing to it. That lake is in Unit 17. That is an access -- area that people do access by boat, and then walking over the hill and hunting in the falltime in that drainage. That drains into the Togiak River.

Methods of processing, handling the meat, preserving storing, are very similar to the ways that most of you are familiar with people processing other subsistence foods. Families make jerky out of moose meat, they cook it fresh, they cook it in a variety of ways. They use electric freezers to store the meat. And moose meat is shared widely throughout the community, so many families don't put a lot of meat in the freezer. If they share it and distribute it, they don't have a lot to put away for themselves.

Knowledge of how to moose hunt and where to go, proper ways of handling the meat once you harvest it, proper ways of treating the animals, butchering, processing, are passed along by elders to younger individuals. Families do harvest a variety of resources in Quinhagak. Salmon are especially important, as are other fresh water fish. Large game are not real abundant there. We do have -- they do have quite a few caribou there, you know, in the last eight or ten years, but in general moose populations are down. In fact the federal moose season on the Kanektok River is closed in that drainage, so people can't hunt

on federal lands in the Kanektok drainage. I guess I should -- in saying that, I should also say that state lands along that drainage are open for people to hunt there.

CHAIRMAN O'HARA: For moose?

MR. COFFING: For moose.

CHAIRMAN O'HARA: Uh-huh.

MR. COFFING: Yes. Well, the conclusion is to adopt the proposal, and to include Quinhagak in the c&t eligibility determination for moose in Unit 17(A). The available information indicates that residents of Quinhagak have hunted in Unit 17(A), have a long history of use there in the unit for hunting a variety of resources.

That concludes the staff report.

CHAIRMAN O'HARA: Any questions for Mike? Yes, Robert?

MR. HEYANO: Thank you, Mr. Chairman. Mike, why is it closed on federal land and opened on state land?

MR. COFFING: It used to be -- Mr. Chairman, Mike Coffing. It used to be open on federal land as well as state lands, and I think the closure on federal lands, and probably I should refer to Aaron on this. It might have happened before Aaron came in, or in fact Dave, because Dave was at the Togiak Refuge at the time, but my sense is there was a concern for the moose population. There were not a lot of moose there. There still are not a lot of moose there. And there was some interest in I think holding back, you know, the legal hunting pressure and letting that moose population rebound. But again, I'll let -- I'm going to let Dave refer to that if he'd like to talk to it?

MR. FISHER: Yeah, we closed the area I think in '88 or '89 due to the fact that there was very few, if any, animals in the area.

CHAIRMAN O'HARA: Yeah, go ahead.

MR. HEYANO: Well, my question is, Mike, in your opinion, I want to be careful how I word this, hunting activity in a closed season, does that justify or constitute c&t findings?

MR. COFFING: Mr. Chairman, Robert, I guess what I wanted to present here was information on customary and traditional uses by Quinhagak residents in Unit 17(A). What I've tried to describe are any uses, be it for hunting fur bearers, or hunting wolves, which are large game, hunting caribou or hunting anything, basically any subsistence activities by Quinhagak over in that unit, regardless of whether the season is opened or closed. I guess I'm not going to -- you know, I'm not going to say that hunting during a closed season constitutes justification for a c&t. I think what I wanted to present to you was any information I could find on what people were doing there, and then leave it up to the Council here for some action.

CHAIRMAN O'HARA: Carry on.

MR. HEYANO: Yeah, I lost my train of thought here, but, well, this proposal asks us to find c&t findings for moose, and we all know that, you know, the moose season in 17(A) has been closed for along time. Maybe that's some discussion we could have as a Council I guess, activity that's taken place during those closures. Do we take that into consideration in determining c&t findings? Or is it activity prior to those closures that we need to determine and take into consideration, is kind of the question I'm wrestling with right now.

MR. COFFING: Uh-huh. Maybe I'll respond, Mr. Chairman.

CHAIRMAN O'HARA: Sure.

MR. COFFING: Robert, when I talked to people at Quinhagak, a lot of the people I talked to were elders, not all of them, but many of them, and they -- you know, I got the sense that what they were describing to me wasn't just since 1980.

Since 1980 is when the season closed. But my sense was that some of it went back quite a while, quite a few years back.

CHAIRMAN O'HARA: Okay. Any other questions for Mike? Yes, Robin?

MR. SAMUELSEN: Well, I'll save it for after while,

CHAIRMAN O'HARA: Okay.

MR. SAMUELSEN: my questions of Mike.

CHAIRMAN O'HARA: If we don't have any other questions, let's see, we don't have -- it's Number

MS. EAKON: Number 36.

CHAIRMAN O'HARA: 36. Gary, you're signed up for 36. Would you like to come up and talk to that issue of c&t findings for Quinhagak being in 17(A). You have down here 36, 37 and 38, moose in 17(A). And then we'll go ahead and, Helga, in case you have any public written comment. Okay.

MR. CARLO: Mr. Chairman, members of the board, I'll be real brief on this one. The Traditional Council president did make a motion to support Proposal 36 to include Quinhagak in the 17(A) moose hunt, and it was passed unanimously. There was some discussion on it, but it wasn't reflected in the minutes. Okay.

CHAIRMAN O'HARA: Okay. Any questions? Thank you, Gary, appreciate that.

Did we have any -- we had a public comment from Anthony?

MS. EAKON: Yes, we had one public comment from Joe Sonneman from Juneau, and he observed that this shows an interesting interaction between hungry people for the same resource, and he sees a need for statewide and not just unitwide regulation.

CHAIRMAN O'HARA: Okay. And then we had Anthony call in from Quinhagak on the teleconference

MS. EAKON: Yes.

CHAIRMAN O'HARA: asking us to

MS. EAKON: Support this proposal.

CHAIRMAN O'HARA: support this proposal to make Quinhagak part of 17(A). And did we have any other public comment for that that you're aware of, Helga?

MS. EAKON: No.

CHAIRMAN O'HARA: Okay. It's up to this Council then to determine whether you want to accept or reject 36 today. Oh, yes, John, excuse me, I didn't mean to exclude the State of Alaska there, but did you want to come to the microphone and talk to us?

MR. MORRISON: Thank you. John Morrison, Department of Fish & Game. We had submitted a comment, and said although populations appear to be increasing, moose populations, there have never been large numbers of moose in that area. They're recent immigrants into the Togiak drainage. Moose hunting has been prohibited in 17(A) since 1981 to stimulate growth of the population. Although residents of Quinhagak may be willing to travel the necessary distance to hunt moose in the Togiak River drainage, it is not clear whether this has been a traditional practice. Thank you.

CHAIRMAN O'HARA: John, why aren't the -- what's the habitat like for moose in the area?

MR. MORRISON: I have no idea. You'd have to ask the refuge people.

CHAIRMAN O'HARA: Okay. Thanks. Okay. No other comment? What's the wishes of the Council on this proposal? Do you want to accept it or reject it? Yes.

MR. SAMUELSEN: Thank you, Mr. Chairman. I'm having a hard time in my mind even after the comments from Togiak Traditional Council allowing these people in. I look at all the literature cited, and it's all Quinhagak residents, in the back of our book,

CHAIRMAN O'HARA: Uh-huh.

MR. SAMUELSEN: testimony from them that they've gone over. Staff reports there are thus no harvest ticket data available documenting this use, ADF&G, 1995. I don't know, you know, if I had to vote on it right now, I'd probably vote no, because of lack of information, but I think what I'd like to see is that staff go out and conduct a survey of elder Togiak residents, and elders from Twin Hills to see if in fact people from Quinhagak did come over. Surely they were going over there for other reasons, they might have been going over there to fish and along come a moose running down the lake and they shot a moose. As you indicated in here, it's opportunistic, an opportunistic harvest. So -- and I'm toying in my mind whether that's enough to give them a c&t. But I think since we only have one side of the story, and that's from Quinhagak residents, I'd like to hear from the elders of Togiak and Twin Hills if these people didn't come over year after year and harvest moose when there was moose available to harvest prior to 1981.

CHAIRMAN O'HARA: Is Goodnews a part of the 17(A)?

MR. SAMUELSEN: No, they're in Unit 18.

CHAIRMAN O'HARA: Oh, they're in 18. So we don't want to ask them. It would be the other two then. Okay. What's your time like, Mike, as far as going out and doing some extra things?

MR. COFFING: Well, I guess I'll be real frank. I don't think it's going to happen before the staff committee and the Federal Board's going to meet.

CHAIRMAN O'HARA: No. I don't think so. I think we're

looking at a year from now, you know. I just wonder about the workload, Robin, as far as what these people have to do, the budget the way it is and everything. Obviously I don't think there's, you know, -- I don't see the resource in there for them to come in, to be honest with you. It would be nice if Igiugig and Levelock -- I mean, Igiugig and Kakhanok were thrown into the Lake Clark National Park and Preserve and go up there and do whatever they want to do, too, but there's just not enough to go around. And until we see some good, hard evidence, I probably wouldn't support it either, but if you want to put this on hold until we can get back perhaps some information from you, it would be fine with me.

MR. SAMUELSEN: Yeah, I think I'd like to make a motion to that effect, Mr. Chairman.

CHAIRMAN O'HARA: Okay. Second? There's been a motion made. Well, it dies for lack of a second, so that's okay. Apparently -- yes, Robert?

MR. HEYANO: Mr. Chairman, I'll try one.

CHAIRMAN O'HARA: You're going to make a motion?

MR. HEYANO: Yes.

CHAIRMAN O'HARA: Okay.

MR. HEYANO: Mr. Chairman, I move that at this time we oppose Proposal 36.

CHAIRMAN O'HARA: That's your motion?

MR. HEYANO: Yes.

CHAIRMAN O'HARA: Okay. Is there a second to this?

MR. SAMUELSEN: Second.

CHAIRMAN O'HARA: Okay. The motion is on the floor to oppose Proposal Number 36 to give Quinhagak c&t findings in

17(A). Any other discussion? Would you like to talk to your motion?

MR. HEYANO: Yes, I did, Mr. Chairman. Based on the information I heard, I've drawn the conclusion that the people from Quinhagak harvest moose in 17(A) in addition to other activities. I haven't heard or seen anything that would lead me to believe that they specifically go to 17(A) to harvest moose. Based on the short time period that moose has even been available in 17(A), and the fact that it has been closed since 1980, at this time I'm not willing to -- to me that doesn't justify customary and traditional use of a species.

CHAIRMAN O'HARA: Anyone else like to speak to the motion on the floor? Yeah, Robin?

MR. SAMUELSEN: Yeah, thank you, Mr. Chairman. Even though I seconded it, that doesn't mean I'm going to support it. I will be in opposition of the motion. Looking at the literature cited, you know, there's a lot of Bavillas in Togiak that are related to the people in Quinhagak. There's Fosters, there's Foxes, there are Sharps, there's Smalls. Them villages are -- even though they're apart, they're interrelated, and that's why I wanted staff to go out on a fact-finding mission to the elders of Togiak and Twin Hills, to find out if these people did come over and hunt. We're not talking a hunt, because of, you know, the resource is down. We're talking about a c&t of past hunting practices by the Village of Quinhagak. And I think it's -- you know, I think it's pretty important that -- it's a very important issue to a village whether they have a c&t on a resource or not, especially out in that part of the area. So I'll be against the motion now. I think that we should have went out, since the proposal is before us, and delay it and bring it back in a year's time so at least it's on the burner for them.

CHAIRMAN O'HARA: Okay.

MR. SAMUELSEN: Okay. And I'll call for the question.

CHAIRMAN O'HARA: The question has been called for. And

the motion is to oppose Number 36, not to give Quinhagak c&t findings in 17(A). All those in favor say aye.

(Ayes: Sam Stepanoff, Timothy LaPorte, Robert Heyano, Peter Abraham, Daniel O'Hara)

CHAIRMAN O'HARA: Opposed?

(Nays: Robin Samuelson)

CHAIRMAN O'HARA: One opposed. Four of us -- five of us for it. Thank you.

The next proposal?

MS. EAKON: Before we leave 36, we neglected to say that the Yukon-Kuskokwim Federal Subsistence Resource -- Regional Advisory Council did support this proposal.

Proposal 37 and 38 request an opening of the moose season in Unit 17(A) and the lead will be Dave Fisher with the Togiak National Wildlife Refuge staff.

CHAIRMAN O'HARA: Okay. We're going to handle both of these at the same time?

MS. EAKON: Yes.

CHAIRMAN O'HARA: Okay.

MS. EAKON: They'll be analyzed concurrently.

CHAIRMAN O'HARA: Did you boys want to take a break or keep going here? Okay. We'll take ten-minute break and then we'll be back. Okay. Thank you.

(Off record)

(On record)

CHAIRMAN O'HARA: Moose in 17(A). You're on.

MR. FISHER: Thank you, Mr. Chairman.

CHAIRMAN O'HARA: Okay. Dave, you're going to take the lead on this one?

MR. FISHER: Yes.

CHAIRMAN O'HARA: Okay.

MR. FISHER: Thirty-seven and 38 will be discussed together.

CHAIRMAN O'HARA: Yeah, that's right, 37 and 38. Yeah.

MR. FISHER: And what I'd like to do I guess is just kind of basically sort of hit the highlights and then I know the refuge people have some comments. We've discussed this before through another proposal, and then also a special action, so I'll just briefly hit the highlights here.

As has been stated previously, the season has been closed since 1981. That's about the time I arrived in Dillingham. Prior to that there was a season. There was a fall season and a winter season. And as you know, the Togiak Traditional Council and the Bristol Bay Native Association submitted a proposal to have a season in 17(A). And the Bristol Bay Subsistence Regional Advisory Council put that on hold until there was more biological data obtained by the refuge. There was also a special action request submitted by the Togiak Traditional Council, and the Togiak Fish and Game Advisory Committee for a season in 17(A).

Currently, residents of 17 plus residents of Goodnews Bay, Platinum, and Kwethluk have been determined to have customary and traditional use for moose in 17(A).

Alaska Department of Fish & Game started doing surveys in 17(A) area in 1972, and at that time there was very few animals observed. Surveys were picked up again in the early 80s, and again very few animals observed. We did a few surveys

during the -- through the 80s and didn't really see a lot of animals. There always has been a winter and a spring harvest which has hit the animals -- hit those critters pretty hard in 17(A).

In 1989 there was a tagging program. We put radio collars on 30 animals. That was an effort to try to determine what the movement was, and at that time there was some movement into -- primarily out of the Sunshine Valley area into 17(A), but not a lot of movement. Probably the primary factor that I think, the refuge people may agree with me or disagree, but I think the primary factor that has started putting animals in 17(A) was the closure of the winter season there in 17(C), and I believe that was in 1990 or 1991. There always has been a good population of animals in the Sunshine Valley area. I think that closure allowed some of those animals to filter over into 17(A).

It wasn't until 1995 in February that the refuge and the Fish & Game people got together and did a real good survey, a Gasaway survey of that area. And if you'll look in your proposal book on page 68, you'll see a map that depicts that survey area. It shows the study area, and where the survey was conducted. In the study area, I believe there was an estimate of around 460 animals, or one moose per every three square miles. The 17(A) study area, or that portion of 17(A) that the survey was conducted, there was a little over 100 moose estimated to be there, or about one moose per ten square miles, which is a real, real low moose density, one of the lowest in the state. The refuge estimate for the total population on the refuge is about 125 animals in 17(A). They may up that or lower that. That's the last estimate I have.

It's interesting to note that during their survey they did notice some animals moving from the western part of 17(C) into the eastern part of 17(A), so that adds a little credibility to the fact that we think some of those animals are moving out of the Sunshine Valley area.

I guess I'd like to kind of wind this down here by saying that I've flown over that area many times, and there's -- the habitat is there. And that's the key ingredient. We've got

the habitat, and just since the late 1980s, early 90s, have animals started to move into that area.

Another important factor is there's not lot of hunting pressure in the adjacent units, and you have no winter season in 17(C). You have a fairly low predation rate. Again the refuge may want to comment on that. You don't -- I guess you have a wolf population that's starting to increase, and there's probably some bear population, but other than the human predators, you don't have a lot of predation.

Another factor we have going for us that's a positive factor is we have animals trying to move into that area, so we've got the habitat, and we've got the animals trying to move in. There's -- we need to do something about the winter and the spring harvest. That's the missing point right there.

CHAIRMAN O'HARA: Winter and spring harvest in a closed area?

MR. FISHER: Yes.

CHAIRMAN O'HARA: Is that what you're talking about?

MR. FISHER: Yes.

CHAIRMAN O'HARA: I don't think so.

MR. FISHER: The staff preliminary conclusions were to reject 37 and 38, and encourage more dialogue between the refuge, the Fish & Game, and the Togiak Traditional Council, and the Bristol Bay Subsistence Advisory Council, and the other people that are in the Togiak drainage. Hopefully they would develop a management strategy that may allow some subsistence harvest while promoting population growth for that moose population.

And just recently, the refuge and Fish & Game have come up with a modification for 37 and 38, and they've drafted a moose population, a directive paper which they'll address. So at this time I'd like to turn it over to the refuge crew.

CHAIRMAN O'HARA: Okay.

MR. ADERMAN: Thank you, Mr. Chairman. My name is Andy Aderman. I'm a wildlife biologist with the Togiak National Wildlife Refuge in Dillingham.

Dave gave a pretty good summary of moose populations in 17(A) up until this time. And he mentioned our joint approach with the state to develop a recommendation to you, and seeing that if we couldn't arrive at a compromise or a consensus with the Traditional Council and the advisory committees. You have this recommendation in the hand out that Aaron gave you yesterday. I won't go into detail unless you want, but just say that our management direction at this time as it pertains to Proposals 37 and 38 is to have a minimum population of 100 moose in 17(A) before any hunting is allowed. We feel we have 100 to 150 moose right now; however, taking the shorter of the two proposed seasons, I believe Proposal 38, the August 20th to September 15th season, we feel that this is too long. However, we could live with a 15-day season within those two dates, provided that the harvest is restricted to bulls only, and that the harvest of moose outside that time period, especially cows, is curtailed. And along those lines, we'd like to work, you know, more with the Traditional Council and the Togiak Advisory Committee and try to get some assurances that they'll work with the people in that area to eliminate or at least greatly reduce hunting this time of year, or outside of the allowable hunt.

That's all I have. If you have questions?

CHAIRMAN O'HARA: Any questions for Andy? You need how many moose -- yeah, go ahead, Tim.

MR. LaPORTE: Yeah, I just want -- repeat the dates that you had suggested again, please?

MR. ADERMAN: We feel that a 15-day season somewhere between August 20th and September 15th, we could live with that. A bull only hunt.

CHAIRMAN O'HARA: You want a 15-day season somewhere between August 20th and September 15th?

MR. ADERMAN: We could live with

CHAIRMAN O'HARA: You could possibly

MR. ADERMAN: a 15-day season.

CHAIRMAN O'HARA: And how many animals do you have in 17(A)?

MR. ADERMAN: We believe between 100 and 150.

CHAIRMAN O'HARA: And 150. And how many can you -- what's the lower end of the scale you can live with?

MR. ADERMAN: Harvest-wise?

CHAIRMAN O'HARA: No. Sustainable yield of animals? You've got to have 100 period?

MR. ADERMAN: There would be 100. There would

CHAIRMAN O'HARA: So

MR. ADERMAN: have to be 100.

CHAIRMAN O'HARA: You've got to have 100, and so you can have maybe somewhere 50 animals to harvest then? Probably not that many, but

MR. ABRAHAM: No, a lot less than that, you know. In the falltime the rivers are shallow over there anyway. And then tributaries and shallow, and you can hardly get to the Aropuk area, so you'd be lucky if you -- if five to seven are harvest, you know, in 15 -- two weeks time.

CHAIRMAN O'HARA: Two weeks time.

MR. ABRAHAM: Yeah.

CHAIRMAN O'HARA: Okay. Yeah, Robert?

MR. HEYANO: Were you done, Mr. Chairman?

CHAIRMAN O'HARA: I have give my -- yeah.

MR. HEYANO: Okay. Thanks. Andy, what's the number of moose are you looking for in 17(A)?

MR. ADERMAN: With our discussions with Larry, Mike, Ken Taylor, Dave Fisher, we feel this area right now could hold up to 600 to 1,000 moose. We don't know how well our habitat base is, other than we assume that it's good, but, you know, through additional study we hope to refine that estimate, but, you know, right now we want a minimum before any hunt. Or a minimum of 100 before any hunting, and ideally increase that up to 300 and refine our upward estimate.

MR. HEYANO: So the best estimate is 600 to 1,000 moose for 17(A)?

MR. ADERMAN: At this time, yes.

MR. HEYANO: And then I guess the next question is a minimum of 100, how does that fit in with trying to I imagine maintain an average population of 600 to 1,000? There seems to be a lot of animals between 100 and 600 or 100 and 1,000.

MR. ADERMAN: I agree. You know, again, a limited fall hunt, bulls only, isn't going to affect, we don't think, very greatly the increase in moose in that area. The resident moose. It will still allow an increase. Again, we're not, you know, advocating that this hunt take place, but it's what we can live with, allowing, you know, people to hunt, and at the same time allowing the population to increase.

MR. HEYANO: What is the primary factor limiting the increase of moose in 17(A)?

MR. HINKES: Well, at this time, there is no limiting --

there hasn't been any limiting factor. Even though there is an illegal harvest during the wintertime, the population has continued to grow, you know, based on some factors that Dave talked about, some mild winters for the past four winters, and they've been able to continue to immigrate in there, into 17(A). So at this point, I mean, we haven't really reached any limiting factor. If the hunting had been a limiting factor, obviously the population would be continuing -- wouldn't be continuing to grow. But it is a concern of ours. I think the over-all goal that we've laid out in this direction is to encourage this population to grow, you know, to as many animals as we can -- you know, we can maintain. You know, we're guessing right now 600 to 1,000 animals. You know, maybe with further studies we'll be able to refine that a little bit more, but, you know, eventually reach a point where we maximize the population and maximize the yield.

And I think what we're pointing out here, we don't want to start a harvest before there's 100 animals, but that we could provide a limited harvest, you know, during a two-week season and still have the population continue to grow.

MR. HEYANO: What's your best guess estimate of the current harvest?

MR. ADERMAN: I'd defer to Pete on that. You know, I've seen a lot of published things here and there that say 15 to 25, but I think Pete could -- would be the one to ask. He's keeping an eye out.

MR. HEYANO: Thank you.

CHAIRMAN O'HARA: Any other questions? So you have in this Sunshine Valley you talked about over here, moose flow over from that area into 17(A)?

MR. ADERMAN: Yes, sir, and from some of the drainages just south of Sunshine Valley. Youth Creek, Killian Creek, the Weary River

CHAIRMAN O'HARA: Uh-huh.

MR. ADERMAN: probably also provide moose immigration into 17(A).

CHAIRMAN O'HARA: And then people in 17(C) get to harvest those animals, too?

MR. ADERMAN: During the fall there's an open season in that area.

CHAIRMAN O'HARA: Uh-huh.

MR. ADERMAN: And Dave mentioned, there was a winter hunt at one time, the month of December, and through the local advisory committee, they've closed that down in an effort to build up the population of moose.

CHAIRMAN O'HARA: So they shut themselves down on this December hunt to make sure that you get some animals over into 17(A), and then you people who are on the federal side don't take any action at all to prevent the illegal taking of animals over there while these guys shut themselves down, is that right?

MR. ADERMAN: There have been some law enforcement efforts in that area, and

CHAIRMAN O'HARA: Who is the law enforcement there in that area? Does Alaska Department of Fish & Game handle that, or do you handle that?

MR. ADERMAN: Well, both.

CHAIRMAN O'HARA: You know, when we were on the Naknek State Advisory Committee, there was always a uniformed officer sitting in our meetings who told us how many citations were given in the fishing industry, or how many outlaw guides they got that took illegal game or hunted in the park, and were brought to justice because of it. And we have a resource here that's not being taken care of, and you have illegal hunting going on, and you don't even address the issue. Who's going to address the issue to increase this population?

MR. ADERMAN: I think it has to be a joint effort between all the people involved, and, you know,

CHAIRMAN O'HARA: Just go on until you guys get a joint effort of some kind? Come on now. There's an illegal hunt going on and nobody does anything about it?

MR. ADERMAN: Well, there have been law enforcement efforts in that area, and there have been

CHAIRMAN O'HARA: So you're making an effort then to enforce the law then so those animals are safe?

MR. ADERMAN: Yes, an effort has been made. Now, whether, you know, it's as great an effort as possible, you know, maybe that

CHAIRMAN O'HARA: I say that, because, you know, I pull up that line and it's within a click of the loran, and that officer says you go one more click and we're going to go to court. And I can understand that. I either go click and go to court, or I stay on the line and I don't go to court. And that's what I'm talking, you know. I don't think -- I'm not from the area, but that's just as much my concern over resource as anybody else's. And I guess I just don't understand where -- maybe you can't do anything about it, maybe you can't catch them. Maybe there's an unwritten law there where this is supposed to be that way. I don't know. Aaron, what do you think?

MR. ARCHIBEQUE: Yeah, Mr. Chairman, we have had efforts out there in the past. For two fall seasons we had some of our special agents come out. They came from Anchorage and worked and stayed on the river for a couple weeks, and were enforcing that regulation. Unfortunately, in the winter, it's extremely difficult to get out there. You know, if you have folks that are out on snow machines, they can get out and get an animal, and the only thing we see when we are able to get out there is either a kill site, or

CHAIRMAN O'HARA: Duck (ph) pile.

MR. ARCHIBEQUE: something along those lines. So it's extremely difficult to enforce. We've been trying to work with Togiak to try to develop the same type of at least thinking that we have with the Nushagak Peninsula caribou herd, where we want to get an established population in there and then be able to work on some harvest strategy, and I think we're at that point right now. I think Togiak is -- realizes they do want to be conservative, if they can have a limited fall hunt where probably a few animals will be taken, and we are looking for some assurance that the Traditional Council and the advisory committee will work with the local residents and with Fish & Game and ourselves to curtail that illegal winter harvest.

CHAIRMAN O'HARA: So you feel then that if you can have a limited harvest, sit down with the Togiak Traditional Council and say, hey, let's watch these animals. They're not going to be increasing their population if we continue to do this, and, you know, nobody's going to benefit unless something is done?

MR. ARCHIBEQUE: Yes. And I think

CHAIRMAN O'HARA: Okay.

MR. ARCHIBEQUE: more chance of getting them

CHAIRMAN O'HARA: Yeah.

MR. ARCHIBEQUE: getting them to buy into that if they know they have an opportunity to legally harvest some animals, and then try to protect those animals during the winter months.

CHAIRMAN O'HARA: Okay. That's all the questions I had. Anybody else have any questions? Yeah?

MR. SAMUELSEN: No, I'm not quite there.

CHAIRMAN O'HARA: You're not quite there?

MR. SAMUELSEN: No.

CHAIRMAN O'HARA: Okay. Yes, Alaska Department of Fish & Game. Thank you, Aaron, Andy.

MR. MORRISON: Thank you, Mr. Chairman. John Morrison, Department of Fish & Game.

I just wanted to make sure everybody clearly understood that Fish & Game Department does not have any law enforcement authority.

CHAIRMAN O'HARA: Oh, these people don't have any? Or you're talking about Alaska Department of Fish & Game?

MR. MORRISON: I'm talking about the Department of Fish & Game, not the federal people.

CHAIRMAN O'HARA: Yeah. Okay.

MR. MORRISON: The state law enforcement on wildlife is handled by the Department of Public Safety, and they have a branch of fish and game officers who are somewhat in the same jurisdiction as the Troopers. But the Department formerly had law enforcement authority, but that was changed from the Department of Fish & Game to the Department of Law some years ago, so the Department of Fish & Game certainly when it becomes aware of violations will pass that information to the Troopers.

CHAIRMAN O'HARA: Department of Public Safety.

MR. MORRISON: Right. And encourage them to do something about it.

And in regard to the relationship of a possible legal harvest of some bulls to illegal harvest that has been mentioned, which includes apparently several cows, we, too, would hope that perhaps offering that limited harvest of bulls would induce some of the people that are doing the illegal hunting to lay off and let those cows alone.

CHAIRMAN O'HARA: Uh-huh. Thank you. Okay. All right. Now we've got that cleared up. Okay.

Any other -- we don't have any questions for the refuge, Fish & Wildlife, Alaska Department of Fish and Game? We do have a member of the public that wants to comment on this, and then Helga would be available for any written comment.

Gary Carlos from Togiak, and chairman of the Togiak Advisory, would like to come and address that, if you -- Gary, would you like to come and talk to that, if you would, please? And you want to talk to 37 and 38, right?

MR. CARLOS: Yes.

CHAIRMAN O'HARA: Okay. You chair the Togiak Advisory Committee?

MR. CARLOS: Yes.

CHAIRMAN O'HARA: Okay.

MR. CARLOS: Mr. Chairman, members of the advisory council. My name is Gary Carlos. I'll be speaking on 37 and 38. We had a joint meeting on February 26th, 1996, between Togiak Advisory Committee and the Togiak Traditional Council to discuss these proposals, 37 and 38. Thirty-seven was submitted by the advisory committee, because we didn't know that 38 was going back onto the docket, and we wanted to make sure it was brought up for discussion.

Some of the notes are long here. I'll just go over them briefly. Number 37 is from the Togiak Fish and Game Advisory Committee and will be going before the board this coming meeting. This will allow for a subsistence moose season in Game Unit 17(A) for one bull from August 15th through September 20th. Moose has been closed in Togiak since 1981.

Proposal 38 was submitted by the Togiak Traditional Council and BBNA two years ago and was brought off the table. It would go from August 20th to September 15th, which is the

same as the Nushagak River.

Pete Abraham mentioned that there was over 120 moose in the area last year. He noted that there appears to be a migration of moose too and from Sunshine Valley. This observation -- this year the observation conditions have not been very favorable due to a lack of snow, which makes it much harder to see the moose. There is no data on moose population to this date. Pete noted that the goal for moose for an opening is 100.

Mr. Van Daele asked the question, what do the people want to use the moose that are here now, approximately 100, or do they want to build them up for future harvest. He believes that the drainage will hold up to 600 moose. Moses Chris stated that if the moose have always migrated in this area, we should take advantage of them now, that the people from the areas around us should be willing to share their moose with us now. Frank Lagusak noted that he would like to see moose co-managed with the local elders.

Frank Lagusak moved to support the Traditional Council moose proposal, August 20th to September 15th, seconded by Moses Chris. Passed unanimously.

We had a teleconference on this particular subject, and we weren't able to come up with a consensus. The Traditional Council and the advisory committee in their discussions in the meeting were trying to come up with a way that we could curtail and address these illegal hunts. And were behind the Traditional Council's effort to open up a limited bull only moose hunt in the early fall, with the emphasis then being placed on caribou. We supported the Traditional Council to move into a cooperative management scenario with Fish & Game and Fish & Wildlife Service so that this could be accomplished, and the Traditional Council would be the entity to bring the pressure to bear in the Togiak area. And this was the way we were trying to address the winter and spring hunts that occur. And we're basically trying to accomplish what is a concern here, which you've said is a concern.

I would like to note that the Traditional Council, the Togiak Advisory Committee, agreed on these two ideas, they like what they saw from the Department of Fish & Game and the refuge to allow a very minor hunt. They did cut down the time, and I think to a 15-day limit would work, and that this is what we need to move forward so that we can -- how can I say it, build up the confidence of the people, and that the system's working.

CHAIRMAN O'HARA: Okay. Is that all you have? Okay. Does the Council have any

MR. CARLOS: One thing that we do

CHAIRMAN O'HARA: Oh, excuse me.

MR. CARLOS: we're in accord with this, that there has to be at least 100 moose present. That threshold is a very important key.

CHAIRMAN O'HARA: Well, we were given information that they have approximately 150.

MR. CARLOS: Right.

CHAIRMAN O'HARA: 100 to 150. Any questions of Gary? Thanks, Gary. Appreciate it.

And, Helga, did you have some -- any more public written comments that might have come in on this 37 and 38?

MS. EAKON: Yes. The program received two comments apiece on these two proposals.

Regarding 37, the Alaska Department of Fish & Game wrote to say they opposed this, because it would create the longest season in Unit 17 in an area that has the fewest moose.

John Sonneman of Juneau said that if this is adopted, does it mean that Proposal #36 is unnecessary?

Regarding 38, the Alaska Department of Fish & Game

recommends that the Federal Subsistence Board take no action on this proposal until a cooperative meeting between Togiak National Wildlife staff, Togiak Traditional Council, Togiak Advisory Committee and the Nushagak Advisory Committee takes place, and the participants agree on a mutually acceptable goal. Despite the prohibition of moose hunting in the area, at least 25 moose are taken annually, the majority of which are females. A resident population of 150 moose cannot sustain such a harvest and be expected to increase. Until social pressure within the local villages curtail the illegal winter date, the Department cannot support an additional harvest. It should be noted that most of the land along the Togiak River is privately owned and subject to state rather than federal regulation.

Joe Sonneman of Juneau asked this question: If this is adopted, does that mean #36 is unnecessary?

CHAIRMAN O'HARA: Okay. Do you have any questions of Helga on the public comment? All right. No more blue cards. Thank you, Helga.

We'll bring it back to the Council members for their decision on 37/38. Robin?

MR. SAMUELSEN: Thank you, Mr. Chairman. Andy, hypothetically we've got 110 moose. How many -- if the proposal passes and how many permits are you going to issue?

MR. ADERMAN: We hadn't planned on issuing any permits for this hunt. It would be open to the eligible customary and traditional users.

MR. SAMUELSEN: Okay. And the customary and traditional users include Togiak, Twin Hills, Goodnews, Platinum?

MR. ADERMAN: I believe it's all of the residents of Unit 17, Goodnews, Platinum and Kwethluk.

MR. SAMUELSEN: Okay. So we've got 110 moose, we've got an annual illegal take that's approaching about 25%, so you've could -- if you got a legal take, you're down to about 85 moose.

You're going to allow 4,000, roughly 4,500 residents the opportunity with no control measure to go in and harvest a portion of them 85 moose. Now, I'm not saying people from Dillingham are coming over, but I could envision possibly people from Goodnews, Togiak itself. I can't remember what the population is, it must be approaching 800 now, seven, eight?

UNIDENTIFIED VOICE: 800.

MR. SAMUELSEN: 800. You're looking at a down turn in the salmon economy, more moose and caribou are going to be a very, very, not only culturally, but because the price range of beef and chicken is just going to be out of a lot of people's hands. You know, I just have some real problems with this management philosophy that because we've got a few animals there, we're going to open the damn gates, and we're going to reverse the trend. I mean, you read the staff reports, and, you know, do a little math mathematics, 25% is being taken illegally, no arrests being made. And to come before this advisory board and say, well, give us a season and we'll stop I think is a travesty, when in fact like the Nushagak Advisory Committee back in 1990 against the wishes of a number of villages, Manokotak, Dillingham, Aleknagik, closed Sunshine Valley to get them moose moving towards Togiak. If the Nushagak Advisory Committee opened up the Sunshine Valley area next year, it would be like shutting off a valve going into Togiak. I mean, if you wanted to be guaranteed a moose, you went to Sunshine Valley, and I've gone up into Sunshine Valley and hunted before.

And we have a range here, a sustainable range of 600 to 1,000 moose and we're only at 100, maybe 100 and -- well, I'd say optimistically between 100 and 150, and we're advocating a season with no control limits. I think we ought to act on the side of conservation here, you know, and staff should come forth with -- you know, I need to know what's the bull/cow ratio of them 100 moose that are in there, some 100 to 150 moose. What's the exploitation rate? We know that's roughly between 20 and 25% illegal. You know, are we getting any production out of there?

And another thing that's concerned me on the long-term

goal is I flip over to 17(C) and I see that the mortality rate of the calves are -- or the cows aren't producing the amount of calves that they did before. And that kind of concerns me in Sunshine Valley, because if they're having a feeding problem, or a stress problem because of feed, that's indirectly going to affect 17(A), because the two are tied together. And I just wonder if that was in you guys' equation of figuring out whether we should have a hunt or not at 100 animals.

That's all I had for now.

CHAIRMAN O'HARA: Okay. Any other comments that you might have, Council members, on this 37 and 38?

MR. ABRAHAM: Mr. Chairman?

CHAIRMAN O'HARA: Uh-huh. Peter?

MR. ABRAHAM: Well, you know, in the falltime, if there's an opening, only Togiak and Twin Hills have access to Togiak River. Quinhagak and Platinum aren't going -- they're not going around that point over there with the boat on rough waters in the fall time just to come to go caribou -- I mean, moose hunting. I haven't seen that before. And the people of Togiak and Twin Hills are travelling back and forth in the falltime to go after spawned out salmon. And they have limited gear because of shallow waters, and not only that, you don't have access to hardly any tributaries of Togiak River, because they're shallow. So your main hunt would be mainly in Togiak River and portion of Pungokepuk (ph) and a couple other tributaries, so you don't have hardly any access to anywhere. You have very little access to it. And the harvest would be at least, I wouldn't say -- I could say about five to seven, in that area there.

The major problem we have is in the wintertime when everybody has access to the whole area, so we're talking about Quinhagak -- I mean, Goodnews, Platinum, Togiak, Twin Hills. When there is a lot of snow.

The two-week opening to me it wouldn't affect the

population of 100, 150 animals right there. And during the wintertime then, like we discussed a while ago, Traditional Council, ADF&G and U.S. Fish & Wildlife would work hand-in-hand, say no hunting in wintertime. That's on the moose. And the only time they would have an opening is the falltime, one bull only.

And that wouldn't affect the Sunshine Valley, that wouldn't shut off the valve right here, because you wouldn't have an access to it. But if they open 17(C), that would possibly shut the valve off right there.

CHAIRMAN O'HARA: Anything else, Peter?

MR. ABRAHAM: Doy.

CHAIRMAN O'HARA: That's all?

MR. ABRAHAM: Yeah.

CHAIRMAN O'HARA: Okay. Anything else, Council members? Okay. We need to make a decision on these two proposals. What's the wishes of the Council?

MR. HEYANO: Mr. Chairman?

CHAIRMAN O'HARA: Uh-huh.

MR. HEYANO: Mr. Chairman, I move we oppose proposal 37 and 38.

CHAIRMAN O'HARA: Okay. There's a motion to oppose 37 and 38. Is there a second?

MR. LaPORTE: I'll second.

CHAIRMAN O'HARA: Okay. Second by Tim LaPorte. Any further discussion on the proposal? Did you want to speak to your proposal -- or your motion, excuse me.

MR. HEYANO: Yes, Mr. Chairman. I guess a lot of what

I'm going to have to say I stated before on the proposals considering the caribou. I think we ought to maintain our original directive to have these entities we identified to attempt to work out a moose management plan for Unit 17(A). I don't believe that that opportunity has taken place in the past with this issue. This draft moose management directive we have, I can't support maintaining a minimum resident population of 100 moose in Subunit 17(A).

You know, I think if you go back and look at the background that was provided to us in this document, it states, however, illegal harvest continues to be a problem in Subunit 17(A). Some subunit residents actively pursue moose with aircraft and snow machines during the winter and spring. Both male and female moose are taken with an estimated annual harvest of 15 to 25 moose.

CHAIRMAN O'HARA: That's in the wintertime.

MR. HEYANO: I agree, but that activity is still taking place, and I -- you know, Mr. Chairman, I'm not totally opposed to allowing a limited subsistence hunt on a small number of moose, but in order for me to do that, I have to feel comfortable and confident that the illegal harvest is going to stop altogether. And I haven't seen any of that information to date at this particular time for me to support a limited moose hunt.

You know, as Peter Abraham brought up, it's not only the residents of Togiak and Twin Hills, but Goodnews and Platinum in the winter, and it increases I think he mentioned, so there's other people involved here. If we're going to all work together and attempt to stop this illegal harvest, which apparently is having an impact on the growth of the moose population. So, you know, I think we would be in error of our responsibility here which is to provide protection for a resource, if we allow a hunt as these proposals are suggesting without addressing those other concerns, and at least without putting a number of animals that we're attempting to harvest during this time period.

CHAIRMAN O'HARA: Okay. Any other -- Tim?

MR. LaPORTE: Just some quick math. It's been closed since 1981. That's 15 years of closure, 25 moose a year, 375 moose total. A bunch of them were cows. Plus the 150 that are there now is 525 moose. Could have easily at this point had your 600 to 1,000 moose.

CHAIRMAN O'HARA: Interesting point. Any other comment from Council members? Hearing none, call for the question?

MR. SAMUELSEN: Question.

CHAIRMAN O'HARA: All those in favor say aye?

IN UNISON: Aye.

CHAIRMAN O'HARA: Opposed?

(No opposing responses)

CHAIRMAN O'HARA: Okay. Unanimous. We're done with proposals at this time? Oh, excuse me, we have one more.

MS. EAKON: No, actually -- okay.

UNIDENTIFIED VOICE: We're done?

MS. EAKON: No, no, we are not done.

CHAIRMAN O'HARA: Oh, trapping beaver.

MS. EAKON: We still have beaver trapping in Proposal 39, and Dave has the lead on that.

CHAIRMAN O'HARA: Dave, you have the lead on 39?

MR. FISHER: Thirty-nine.

CHAIRMAN O'HARA: Helga, is that the last proposal?

MS. EAKON: There are two neighboring proposals, 40 and

41,

CHAIRMAN O'HARA: Okay.

MS. EAKON: in the Y-K Region which affect some communities in this -- in the Bristol Bay Subsistence Resource Region, and Mike Coffing will give you an overview of what they are after we act on 39.

CHAIRMAN O'HARA: Okay. Dave, you're on.

MR. FISHER: Thank you, Mr. Chairman. Proposal 39 was submitted by Leona Carr of Portage Creek. Portage Creek Village Council, pardon me. And this would lengthen the current beaver trapping season in Unit 17 from January 1 to February 28th to November 10/February 28th, and increase the trapping limit from 20 to 40 beaver per season.

Federal public lands in Unit 17 consist of the Togiak National Wildlife Refuge in 17(A), (B), and (C), BLM land in 17(B) and (C), Lake Clark National Preserve in 17(B). However, most of the federal public land is located in 17(A). Constitutes Togiak National Wildlife Refuge.

Currently the state trapping seasons in 17(A) are January 1 through January 31, 20 beavers per season. The state season in 17(B) and (C) is January 1 through February 28th, also 20 beavers per season. The federal season in Unit 17 is January 1 through February 28th, with 20 per season. And there have currently been no c&t determinations for beaver in 17.

CHAIRMAN O'HARA: Seventeen what?

MR. FISHER: Seventeen (A), (B) and (C).

CHAIRMAN O'HARA: Okay.

MR. FISHER: When I say 17 I mean (A), (B) and (C).

CHAIRMAN O'HARA: All right.

MR. FISHER: There isn't a lot of information available on the current status of the population. However, the population is believed to be stable to increasing. Seventeen (C) over the past years has allowed for the most harvest, as that's probably where the best habitat is. That's the Nushagak River drainage, and that has lots of excellent beaver habitat, and lots of water, lots of marshland, and so on.

This proposal would lengthen the season on federal public lands by 52 days, and also increase the harvest limit from 20 to 40. That probably wouldn't really impact the population; however, the problem arises is when you change the federal season and make it different from the state season, you have navigable waters, which are currently under state jurisdiction, and you'd have an open season under the proposed -- under this proposal on federal public lands when the state season in navigable water areas would be closed. And it's almost impossible if you're out there to determine whether you're on -- under a state jurisdiction or a federal jurisdiction.

And what the staff recommended on this proposal was to defer it until the Board of Game acts on a similar proposal in 1987 (sic), and if at all possible, we would like to see the regulations are lined up so it would eliminate some of this problem of where you are, or when you are, and why you're out there, and what area you're -- what regulations you have to follow.

That basically sums up what I have to say.

CHAIRMAN O'HARA: Okay. Any questions for Dave? Do we have any other staff reports from the Department of Fish & Game or -- Alaska Department of Fish & Game? We're really kind of leaving you out there. We didn't mean to do that. If you have a comment, John, any time, just jump in.

MR. SAMUELSEN: I have one question.

CHAIRMAN O'HARA: You have one for who?

MR. SAMUELSEN: David.

CHAIRMAN O'HARA: Okay. David?

MR. FISHER: Yes?

MR. SAMUELSEN: Where do I get a navigable water map, Dave? Reading the proposal, if I was a trapper sitting Portage Creek as the proposer is, and I'm only authorized -- I'm not authorized for taking beaver swimming in navigable waters, or taking beaver on land below the mean high water line, along navigable waterways. How can I figure that out as a trapper?

MR. FISHER: Well, you'd have to go down to -- well, I'm just -- they do have maps for sale, but they're awful expensive.

MR. SAMUELSEN: Thank you.

MR. FISHER: It's almost impossible.

CHAIRMAN O'HARA: A degree from Harvard and you can figure out how to catch a beaver.

MR. BOYD: That's a rhetorical question I think.

CHAIRMAN O'HARA: Okay.

(Indiscernible, simultaneous speech)

MR. FISHER: Maybe we can talk about it after -- maybe we can talk about it after the meeting.

MR. SAMUELSEN: Yeah. Okay.

MR. FISHER: Where to get the maps.

CHAIRMAN O'HARA: We'll give you a microphone right in the middle.

MR. ABRAHAM: A question there.

CHAIRMAN O'HARA: Yeah, go ahead, Robert. I mean, Peter.

MR. ABRAHAM: Yeah, when you say 17, are you talking about 17(A), (B), and (C), Dave?

MR. FISHER: (No audible answer)

MR. ABRAHAM: Okay.

MR. FISHER: Yes, when I mentioned 17, I was including all three subunits.

MR. MORRISON: John Morrison, Department of Fish & Game. I would support Dave's comment about waiting until the Board of Game meets to discuss this, and hopefully at that time common regulation could be derived for both state and federal areas that would resolve this problem of where is the boundary line. I'd recommend to Robin get a GPS system and you could figure out where that boundary line is. But if we could get a common regulation, we wouldn't need to worry about that.

CHAIRMAN O'HARA: Okay. Good enough. Any questions for John? Thank you.

Helga, do we have -- I don't have anybody blue carded here for public hearing.

MS. EAKON: No, but Mr. Morrison's articulated the Alaska Department of Fish & Game's written comment on this proposal.

The Kwethluk Joint Group supports this proposal and not only that, they would provide for a no harvest limit. The given reasons are good reasons for increased bag limit. We also recommend the state trapping regulation be lifted in GMU 17.

And that concludes the written comments.

CHAIRMAN O'HARA: Any question from Helga? Okay. We'll shut this part of the program off then and ask for action by the

Council. What are the wishes? Robin?

MR. SAMUELSEN: Yeah, Mr. Chairman, I make a motion we defer the proposal until after the Board of Game meeting. I think staff has indicated 1997.

CHAIRMAN O'HARA: Okay. Is there a second to that motion?

MR. HEYANO: Second.

CHAIRMAN O'HARA: Robert Heyano seconded the motion. Any discussion? Do you have any comment to your motion?

MR. SAMUELSEN: No, just that staff has indicated the Board of Game will be acting on it, and it's been the wishes of this Council to adopt regulations that are consistent with state regulations as much as possible.

CHAIRMAN O'HARA: Yeah, we don't have a problem with beaver on that. Robert, do you have any comment or not?

MR. HEYANO: Just a couple additional, Mr. Chairman, is that the confusion this would cause as far the legality of navigable versus non-navigable and et cetera, and et cetera.

The other thing is that the -- I'm quite certain that the Nushagak Advisory Committee the next time this issue comes up is -- will be proposing some liberalization of the trapping season. We -- there was quite a bit of interest last time around, but we missed the deadline unfortunately.

CHAIRMAN O'HARA: Okay. All right. Any other discussion from any member of the

MR. SAMUELSEN: Question.

CHAIRMAN O'HARA: Call for the question? All those in favor say aye?

IN UNISON: Aye.

CHAIRMAN O'HARA: Opposed?

(No opposing responses)

CHAIRMAN O'HARA: Okay. Helga, what do we have next?

MS. EAKON: Mike Coffing will give you an overview of Proposals 40 and 41, which pertain to the Yukon-Kuskokwim Delta.

MR. COFFING: Mr. Chairman and the Board, thank you. Mike Coffing, Fish & Wildlife.

There are two proposals that aren't in your book, but do affect the Bristol Bay area, and primarily the Unit 17 area, and I wanted to be sure that you were aware of them. Proposal 40, it was a proposal submitted by the Y-K Delta Council, and it was a proposal for c&t uses of brown bear for Unit 18. The proposal was to -- was basically a recommendation to find residents of Unit 18 eligible for c&t uses of brown bear in Unit 18. When we did the analysis on these proposals, we looked at any uses by anybody of brown bear in Unit 18. And the conclusion on the analysis was to, the preliminary conclusion, was to include communities not only of Unit 18, but also communities of Aniak, Chuathbaluk, Upper/Lower Kalskag, Holy Cross, Stebbins, St. Michael, Twin Hills, and Togiak, for c&t use of black bear. If I said brown bear earlier, I'm sorry. It's black bear on here.

CHAIRMAN O'HARA: It's black bear you're talking about?

MR. COFFING: Black bear.

CHAIRMAN O'HARA: Yeah.

MR. COFFING: So the Y-K Council when they met they supported that preliminary conclusion, so the way that's going to go forward, at least from the Y-K Council to the Board, or to the staff committee, will be -- would include Togiak and Twin Hills for c&t uses in Unit 18 for black bear.

Proposal 41 was similar. It was a proposal actually

submitted by the Western Interior Council to include the communities of Aniak, Chuathbaluk and Napaimiut to be recognized as eligible for moose in Unit 18. Again when we did the analysis we looked at uses by any community, and the conclusion was very similar to that of Black Bear, and that was that, at least as far as the Bristol Bay area goes, the map data available show that residents of Togiak did hunt moose in Unit 18. The map data did not show that Twin Hills did. But when the Y-K Council acted on that, they supported including Togiak in the c&t use determination for moose in Unit 18.

So that's all I have, real briefly, just to let you know that when you get to the Federal Board meeting, or you see later on that Togiak and Twin Hills were included, you'll know why.

CHAIRMAN O'HARA: Uh-huh. Is this an action item that we need -- is there any action that we need to do on this, is this just informational? Helga, what are your thoughts?

MS. EAKON: I don't know what the right procedure is, but I know when Southcentral found a proposal that they wanted to say something on, they made a motion either way. It depends on your feelings on the proposal I guess.

CHAIRMAN O'HARA: They're pretty nice. We said no to them, and they said yes to us. Anyway, I don't think there's any black over at Goodnews or Togiak. Are there black bear over there?

MR. COFFING: Well, I don't know. I don't -- I mean, I'm not down there

CHAIRMAN O'HARA: Maybe they go up to Unit 18 and hunt black bear.

MR. COFFING: But -- well, the determination was for Unit 18,

CHAIRMAN O'HARA: Uh-huh.

MR. COFFING: it wasn't for a part of Unit 18, so

CHAIRMAN O'HARA: I'm going to hunt black bear in Lake Clark Preserve.

MR. COFFING: Maybe, Mr. Chairman, one thing that would help, you know, I know that along the Kwethluk River and Eek they are, and I think the thought was that if people were out hunting caribou and moose, that a lot of the areas that people are taking black bear may be in association with some moose hunting activity and fall time, so it's likely if people are out hunting moose, they may be taking black bear along with that.

CHAIRMAN O'HARA: Okay. Yeah. It's up to the Council. I don't know, maybe there's been public comment on this, or maybe other reports that need to be dealt with?

MS. EAKON: I have no idea at all.

CHAIRMAN O'HARA: I think we just should note in the minutes that we got a report on it, and that we very much appreciate it, and we'll let it go at that. Okay. Thank you.

Helga, where are we at now?

MS. EAKON: Mike, please don't leave. You're next on the agenda.

MR. COFFING: Let me grab my material.

MS. EAKON: We are done with item 8(B), action on proposals. We go to 8(C), and that is the customary and traditional use determinations, the existing and also the backlog.

CHAIRMAN O'HARA: And you're going to deal with the backlog, Mike?

MR. COFFING: Yeah. There's two things I'll deal with here. And this one I'd like to direct the Council to, is an item after -- in my book it's after 8(B)(2). Actually it's just before 8(D) as in delta. And the first time looks like this, on

blue paper.

CHAIRMAN O'HARA: Okay.

MR. COFFING: And the second item is right after it, on kind of an ivory colored paper. You might want to pull them both to have them there. Mr. Chairman, I think just to your left a little further.

CHAIRMAN O'HARA: Back that way? Okay.

MR. COFFING: Yeah. Uh-huh.

CHAIRMAN O'HARA: Okay. Here we go.

MR. COFFING: There you go. That's it.

CHAIRMAN O'HARA: 8(C), charlie?

MR. COFFING: You just past it.

CHAIRMAN O'HARA: Go back. It's under

MR. COFFING: It's right there under your hand now.

CHAIRMAN O'HARA: Yeah. Under tab 8(C).

MR. COFFING: That's it.

CHAIRMAN O'HARA: Yeah.

MR. COFFING: Okay. The first thing, last fall when we met, the Council asked me to put together a one-page summary of what the current eligibility determinations are and I promised I'd do that. I didn't get it all on one page though. It took three pages. What this is basically, just for your information, this is what the current eligibility determinations are for Units that are -- that you cover and some adjacent units as well. So again this is right out of the regulation book, and it's basically for your informational purposes here. This, of course, may change, you know, once the Federal Board meets, but

this is what's current as of now.

The second item is the ivory-colored sheet that follows that, and you recall we had a sheet that was a little bit longer than this, but very similar last fall that we used to look at when the Council prioritized the backlogged customary and traditional use proposals. Since last falls meeting, we've dealt with sheep in Unit 9(B) and brown bear, and that reduced the number of proposals here by about half, so this is what you have remaining. And the Council priority is what your priorities were when you set them October 11th: rainbow trout and all freshwater fish, priority one; black bear, priority four; beaver, priority five; and then the others which have no rank. So I wanted to bring this to your attention just so that you know what remains and maybe also ask the Council if they would look at it again, and maybe give me an update, give staff an update of what you want for priorities with what we have left here.

CHAIRMAN O'HARA: Has the Council members changed their mind on any of these priorities we have that are backlogged? No? Yeah, go ahead, Robin.

MR. SAMUELSEN: Rainbow trout, not clearly stated. What does not clearly stated mean?

MR. COFFING: Mr. Chairman, Robin, I think what that refers to is in the proposal it wasn't clearly stated what the proposer -- which resident the proposer wanted to be eligible for rainbow trout. And the original proposal I think followed, but, you know, we can maybe look at that. Some of those earlier ones were in like letter form. They weren't in a real proposal form, they were like a letter from I think Bruce and others, and perhaps staff can work with the proposer and find out, get more detail about what it was the proposer intended on that.

MR. SAMUELSEN: Okay.

CHAIRMAN O'HARA: Well, maybe we ought to be a little more detailed.

MR. SAMUELSEN: Well, and that's the second one.

CHAIRMAN O'HARA: Okay.

MR. SAMUELSEN: Because we proposed all freshwater fish, and it's not clearly stated. So I guess we've got to get -- clearly state our intent in a proposal form to you folks.

MR. COFFING: I think, you know, and I'm off the cuff a little bit here. I haven't looked at that proposal for a bit, but if my memory serves me correctly, I think there was some interest of making a determination that freshwater fish are subsistence resource and are used by people in the reason, but it wasn't -- but it may not have been real clear which people, which residents you want, which communities you wanted to have eligibility for fresh water fish in the area here. Now, it's a little loose, because I'm not real -- I haven't looked at it for a bit, Robin, but I think that's why it wasn't real clear to us what the Council meant.

MR. SAMUELSEN: Uh-huh.

CHAIRMAN O'HARA: Robin, do you want to talk to that a little more?

MR. SAMUELSEN: No.

CHAIRMAN O'HARA: Yeah. Sure. Go ahead.

MR. SAMUELSEN: I'll listen.

CHAIRMAN O'HARA: Yeah. Go ahead, you still have the floor. Did you have more to say?

MR. SAMUELSEN: No. No.

CHAIRMAN O'HARA: Anybody else? Helga, what are we to do to, you know, clarify that we're not clearly stated here on all freshwater fish? If it's open-ended like that, we're not going to get anything done. They just stick out there saying it's not clearly stated. What do we clearly state to get this

thing on track?

MS. EAKON: They need to state eligible by communities in each unit, right?

MR. COFFING: Yeah, Mr. Chairman, I apologize for holding you up. I was looking through the proposals to see if that one shows up so I can tell you, I can refer you to it. Here it is. It's -- if you look at the pages, it's number 44 at the top left corner. Maybe halfway through that list of proposals.

CHAIRMAN O'HARA: Uh-huh.

MR. COFFING: Forty-four at the top left. You see -- that is what generated the freshwater fish proposal. So the motion was to adopt the recommendation to the Federal Board that the Board adopt a customary and traditional eligibility use finding for all freshwater fish, including rainbow trout in all Bristol Bay drainages. I guess, Mr. Chairman, Board, what would help staff is to know whether you mean residents of

CHAIRMAN O'HARA: Okay.

MR. COFFING: You know, which residents, which communities.

CHAIRMAN O'HARA: All right. Helga, we probably need to bring that back then at our fall meeting, or is that -- do we have -- can we bring that up this fall then or I can have

MS. EAKON: If you wish to elaborate this in your fall meeting,

CHAIRMAN O'HARA: Uh-huh.

MS. EAKON: because this program does not have present jurisdiction over nav waters or fisheries, you may wish to revisit this at your fall meeting, and tell us exactly the rural residents of which communities in the units.

CHAIRMAN O'HARA: Okay. What we'll do then is we'll -- I'll get together with Helga, check with the Council, work with the staff, and come up to find out, you know, that we -- so we don't have something staring at us in the face here saying this is not clear what we're doing. We've been working on this too long to come to a meeting and find out we're not clear about it.

MR. SAMUELSEN: Uh-huh.

CHAIRMAN O'HARA: So how about -- would there be any objection to putting that on the fall program? I certainly wouldn't mind redoing this with Helga and staff

MS. EAKON: Okay.

CHAIRMAN O'HARA: to work on that.

MR. SAMUELSEN: I don't have no objections, Mr. Chairman. But I would also like staff to work with Ted at BBNA on the rainbow trout issue also.

CHAIRMAN O'HARA: Uh-huh.

MS. EAKON: Okay.

CHAIRMAN O'HARA: Okay. Anything else there?

MR. COFFING: No, Mr. Chairman. I guess I maybe to clarify, just so that staff have a clear direction from the Council here, does the priority that you have remaining then look okay? In other words, rainbow trout, freshwater fish, priority one, black bear now becomes a two, and then beaver a three. Is that what you'd like to do then?

CHAIRMAN O'HARA: I don't have any objection to it. Council members, is that okay with you? It's going to get done one way or another, and I think that's a fine order as far as I'm concerned. Okay. Good.

MR. COFFING: Okay. Thank you. That's all I have on that.

CHAIRMAN O'HARA: All right. Thank you.

MS. EAKON: You made a two notation in your plan, because I didn't.

MR. COFFING: Yeah.

MS. EAKON: Okay.

CHAIRMAN O'HARA: Okay. Helga, we're down to 8(D)?

MS. EAKON: We are down to 8(D) as in David, State-proposed subsistence solution, presented by Greg Bos.

CHAIRMAN O'HARA: Okay. You're on, Greg.

MR. BOS: I'm Greg Bos, Office of Subsistence Management, Fish & Wildlife Service in Anchorage. I know you're getting tired and will want to wind this thing down. I'll try to be brief on these next two topics.

You may be wondering why a federal staffer is presenting a State subsistence proposal to you. I think as a matter of fact I'm not going to present it so much as I am just call attention to it. You may have already received and possibly commented on the draft. If you have not, there is a copy in your board book, and for members of the audience who are interested, there are copies on the back table.

The draft that's in your board book is the second draft. The first draft came out late in 1995, I think in December. The Administration received comments on that, and based on those comments, they revised the draft and distributed the copy you have in front of you now. The package solicits comments by March 1st, but I think the Administration would still welcome comments by this Council or by the individual members or even by members of the public, but time is of the essence. I think the Administration is eager to finalize its proposal so that they can have the current legislative session deal with it in order to have implementation in the coming year.

As you know, the Knowles/Ulmer initiative has as its goal the return of management of all fish and wildlife in this -- in Alaska to the State. The package basically has three components. One is a change to the State Constitution that would allow the use by the State of residence as a basis for eligibility for subsistence. A second component is changes to the state law including the regulatory process by which the State would reestablish state regional councils. And the third component would be amendments to Title VIII of ANILCA. All three components would need to be adopted to implement the initiative.

The Federal Government is neutral on the proposals, has not authored any part of the proposal, and as far as I am aware, has not formally submitted written comments to the State Administration on the drafts.

If you have any questions on the details or the reasoning for any part of the initiative, it may be appropriate for John Morrison or perhaps Gary Sanders to respond to your questions.

CHAIRMAN O'HARA: Okay. So the three items then that you're reporting on then would be change the constitution, state law by regulatory process, and changing of Title VIII, ANILCA. Okay.

MR. BOS: That's

CHAIRMAN O'HARA: Do you have any questions or comments on that? That's just information for us from the federal side on what the State of Alaska is doing, or would have to do.

Gary Sanders, anybody have any more that you think that you need to give to us on that? Okay.

We've gone over this quite thoroughly. We're aware of all the involvement and that, and is that all then you have for us?

MR. BOS: That's all I have, yes.

CHAIRMAN O'HARA: Okay. So that's all you have in the way of state proposed subsistence solutions then? Okay.

MR. BOS: Correct.

CHAIRMAN O'HARA: And, Helga, who's handling 8(E)?

MR. BOS: I think I am.

MS. EAKON: Greg also

CHAIRMAN O'HARA: Greg Bos again? Okay.

MR. BOS: Yeah, can I

CHAIRMAN O'HARA: Is going to talk to us more.

MR. BOS: proceed on that then?

CHAIRMAN O'HARA: You bet, sir. You're fine.

MR. BOS: Okay. The purpose of having this on your agenda is to get your Council's thoughts on the value of advisory committee involvement in your Council's process. If you could express something about the present level of involvement and whether it can or should be improved.

Maybe as a little bit in the way of background, the Title VIII established that local advisory committees may provide advice and assistance to the Federal Regional Councils in carrying out their functions. Congress evidently considered local advisory committees as an important resource for the Councils, to increase the involvement of local subsistence users in the subsistence management program. In fact, under Title VIII, the Secretary is directed to establish federal committees if the state advisory committees are inadequate.

At the beginning of the federal program, as part of the environmental assessment for the program, federal staff reviewed

the state regulatory process, the performance of the state regional councils and the state fish and game advisory committees. The conclusions of that review were that the state's regional councils did not fulfill the requirements of Title VIII, but that the fish and game advisory committees generally were adequate.

The possible benefits and means of involvement of the advisory committees with the federal regional councils and with the broader federal program have not been looked at by the federal staff and the councils on a statewide basis. We believe it would be worthwhile to do such an evaluation, and if an analysis indicates that increased involvement by advisory committees with the federal regulatory process is desirable and possible within the constraints of the staff that's available and available funding, some efforts to incorporate the advisory committees into the council process could possibly come as early as this next regulatory cycle.

The plan would be for the staff to review the state and federal regulatory processes, develop possible alternative levels, proposed levels of involvement of the advisory committees with the councils. So we would look at the number and areas of jurisdiction of the committees in each of the councils' regions, the annual schedule of events of the state and the federal regulatory process, estimated cost of advisory committee participation from the standpoint of reviewing federal proposals as well as possibly being represented at council meetings, and we would look at opportunities for cross coordination between the state and the federal staff who work with the councils and with the advisory committees. The alternatives could range from little or not federal effort to increase advisory committee involvement, all the way to full advisory committee participation with federal financial support.

Before getting started on this, the staff wanted to get a sense of how this Council and the other councils feel about the advisory committees as a source of information. Would you like to see better coordination with the advisory committees? Do you have some concerns about involving advisory committees in your process?

CHAIRMAN O'HARA: I think that's a really worthwhile piece of information. What's -- yeah, Robin, go ahead.

MR. SAMUELSEN: Thank you, Mr. Chairman. I think that -- I think in the Bristol Bay region here, and only speaking for Bristol Bay, that we have good representation at the federal level by the state advisory councils, and input. We have sitting members that are the head of the state advisory councils, we have past members on our advisory committee. I think I would like to wait and see the new subsistence law. I see that the State is restructuring its advisory board system to include different management regimes and getting with subsistence within the advisory committees. So before we go out and create another entity or solicit another entity for public comment, I'd like to see what the State does, and see if they do adopt a subsistence plan that will include not only advisory boards, but also a subsistence advisory council similar to the federal system, this board, this advisory council here.

CHAIRMAN O'HARA: Any other comment from Council members on this involvement? Yeah, Robert?

MR. HEYANO: Thank you, Mr. Chairman. You know, I agree with pretty much everything Robin said. The other thing I'd like -- the other point I'd like to make is that most of our communities, or a large portion of them are situated where there's state and federal lands. And originally we -- and I think the point is still valid today is that it's very important that a single group of representatives from those communities understand what's happening both on the federal level and the state level to avoid confusion in the communities, and that's one of the reasons why Bristol Bay chose to go with the existing state advisory committees. I still think that's a pretty valid concern to date.

CHAIRMAN O'HARA: My comment would be, I see Dick Sellers is still here, with the Alaska Department of Fish & Game, and John Morrison is here also, former biologist Don Bill, now with the Park Service. I would think, Dick, just, you know, whenever I've talked about an issue, I'd want to give Dick a

call or Don Bill a call, or when John Morrison was here with us, we kind of like to parallel all these things if we could so we have existing regulations -- I don't know if we have any real big conflicts with the people in this region as far as you working with the advisory board, state level, Dick. I guess we're probably paralleling each other pretty well. Do you feel that there's an area where maybe we haven't been or that we could make things a little quicker by working a little more closely together, or have you given that much thought? I kind of put you on the spot here, but if you don't mind, you're the other part of the game partner that we're dealing with here. State your name, if you would, please?

MR. SELLERS: Dick Sellers, Alaska Department of Fish & Game.

I think in general there's been real good coordination. At least, we're working towards that, although, you know, there's still confusion about which department, you know, our biologists are with, whether we're Fish & Game or Fish & Wildlife Service or Park Service. So there's still a lot of confusion out in the communities but

CHAIRMAN O'HARA: Uh-huh.

MR. SELLERS: I think in general there's interest in the state advisory committee system with what you folks are doing. There's I think probably room for some better communication.

CHAIRMAN O'HARA: What would that be?

MR. SELLERS: Well, I know I went down to a Lower Bristol Bay Advisory Committee meeting last fall, and there was a lot of interest in what this Council was doing in terms of the issues at Becharof and down at Aniakchak and what not.

CHAIRMAN O'HARA: And know what representatives are to meet with you on this part of the

MR. SELLERS: Yeah. I mean -- and we tried to handle

the issues as best we could, but it might have been helpful to have one of the Council members there.

CHAIRMAN O'HARA: Yeah, I think that would be good, you know, and I'm guilty of walking into the Borough Building and sitting down and saying, hey, what do you think about an October no caribou hunt for bulls, you know. Oh, great idea, turn around and walk away. So I think in that area we're guilty of not, you know -- there's no reason why we can't keep those avenues of communication open to make things work a little more easily together. I think that's a good point. Was there anything else?

MR. SELLERS: No, I just might make the point that I think almost everybody here has been involved with the state committee, and you do get pretty good turn public turn-outs, anywhere from maybe just half a dozen up to 20 or 30 people at one of those state committee meetings, so I think it is a pretty good source of getting a feel for what the communities feel.

CHAIRMAN O'HARA: They actually do outnumber the bureaucrats?

MR. SELLERS: Sometimes.

CHAIRMAN O'HARA: Okay. Thanks. I appreciate you just coming up and laying it on the floor there. Okay. Any other comment on this? Thank you very much. Oh, yes, go ahead, Greg.

MR. BOS: I mean, the sense I'm getting here is that you're fairly satisfied with the process as it's working in your Council's region, that you have the advisory committees providing input to you on the federal proposals, and you kind of like the wait to see what the State might do in making changes either on this initiative or in its review of the advisory committee system that it has currently under consideration?

CHAIRMAN O'HARA: Yes.

MR. BOS: That's pretty much it.

CHAIRMAN O'HARA: Robert, are you on the Kvichak -- or the Nushagak Advisory Committee?

MR. HEYANO: Yes, I am.

CHAIRMAN O'HARA: Okay. And, Tim, what's your involvement in Illiamna?

MR. LaPORTE: Chairman.

CHAIRMAN O'HARA: Oh, okay. Okay. So then I guess it's my responsibility to get a little more involved with the Naknek/Kvichak Advisory Committee, and Lower Peninsula. Lower Peninsula handles Chigniks, too?

MR. STEPANOFF: No.

CHAIRMAN O'HARA: Who handles Chigniks state advisory council? You do?

MR. STEPANOFF: Chignik does.

CHAIRMAN O'HARA: Chignik has their own?

MR. STEPANOFF: Uh-huh.

CHAIRMAN O'HARA: Chignik has their own state advisory council?

MR. STEPANOFF: Yes.

MR. SELLERS: Yes, Chignik has their own five-community committee and I handle the wildlife issue, commercial fisheries issues, they're handled by the Kodiak commercial fisheries staff.

CHAIRMAN O'HARA: Are they active.

MR. SELLERS: Relatively, yes.

CHAIRMAN O'HARA: Okay. Okay. Good. All right. Good.

Thank you very much. Appreciate that.

MR. SAMUELSEN: Mr. Chairman?

CHAIRMAN O'HARA: Yes?

MR. SAMUELSEN: Yes. BBNA also faxes out all the proposals and a call, when there's a call for proposals, we fax out to the villages, tribal councils. We follow up with a telephone call and see if there's any issues that they want help on, so I think they're pretty well informed.

CHAIRMAN O'HARA: Okay. Good.

MR. SAMUELSEN: And we also, BBNA also pays each advisory committee a recorder -- a fee for recording the minutes, and we distribute those minutes to all the other advisory committees, so, you know, Illiamna knows what Nushagak is doing, and Nushagak knows what Chigniks doing, and they're all coordinated.

CHAIRMAN O'HARA: Okay. Good. Helga? This next item?

MS. EAKON: Well, I was going to add that I as coordinator do mail a copy of they minutes of this Council's proceedings to the advisory committees. However, I might -- and I don't receive any information about what they're doing, and I wouldn't mind even occasionally getting copies of the advisory committees' minutes, so I know, to share with the regional team what's going on in the different areas.

CHAIRMAN O'HARA: I think if we spoke with Joe Trythluk, who is the coordinator for all of them, we could probably have you informed on that.

MS. EAKON: Okay.

CHAIRMAN O'HARA: And he'll get you a copy. We'll mention that to him.

MS. EAKON: Okay.

CHAIRMAN O'HARA: Okay. DLP policy. Dave Fisher, you're on that now?

MR. FISHER: Yes, Mr. Chairman. We'll try and hurry this through. It's getting about that time.

CHAIRMAN O'HARA: If you want to catch your plane, it's about that time.

MR. FISHER: We can probably -- I could make a call down there, and we could

CHAIRMAN O'HARA: No, that's okay. Carry on.

MR. FISHER: I'll make this real brief. The difference between harvesting a bear for subsistence uses and for harvesting a bear in defense of life and property is probably intent really. And a bear taken for subsistence is taken for personal use or family use, and one taken for DLP is just that, for defense of life and property. Wildlife taken for defense of life and property is not a subsistence use, and there are currently no federal regulations for that. They fall under the purview of state regulations. That's basically all I have.

CHAIRMAN O'HARA: Uh-huh. So anytime

MR. FISHER: So it's pretty simple.

CHAIRMAN O'HARA: Anytime that you have to kill a bear because of defense of life or property, then you deal with

MR. FISHER: State regulations, yes.

CHAIRMAN O'HARA: Department of Public Safety, fish and game people?

MR. FISHER: Yes.

CHAIRMAN O'HARA: Okay. That's understood.

MR. FISHER: There is a two-page thing in your hand-out there, and I've just summarized it for you.

CHAIRMAN O'HARA: You call them up and ask them do we take this creature to the dump or do we take it to the river, is that what you

MR. FISHER: Well, you can -- you better check with Dick Sellers first.

CHAIRMAN O'HARA: Okay. All right. Any questions? That was easy. Any other new business coming before this Council today?

MS. EAKON: Yes, you had asked that I put on your agenda the annual report for 1996, and I do need some kind of direction from you. How do you want to work on this?

CHAIRMAN O'HARA: An annual report for 1996?

MS. EAKON: Uh-huh.

CHAIRMAN O'HARA: Wouldn't that be, you know, a report of everything we've done?

MS. EAKON: We don't have a '96 report, and I know you had mentioned waterfowl, spring hunt. I know everyone's tired, if you want to think about this, we could maybe bring it up again at the fall meeting.

CHAIRMAN O'HARA: We have been wanting, and I don't know who looks at that spring waterfowl migration hunt.

MR. ABRAHAM: I think that's what we were going to look at. Yes. Bethel. I know Jack Hunter knows something about it.

CHAIRMAN O'HARA: Polly's (ph) been working on it, and I don't know what -- where he's starting at, but we had thought about it some.

MS. EAKON: I don't have -- I myself do not have an

update. That's a function of the Migratory Bird Department under the U.S. Fish & Wildlife Service.

CHAIRMAN O'HARA: Does that come under -- That doesn't come under the jurisdiction of this group?

MS. EAKON: That does not come under the jurisdiction of this group; however, you could comment, and anything that they want to do -- does anybody here have anything to add on migratory birds?

MR. BOYD: I don't have much to add. This is

CHAIRMAN O'HARA: Give us your name?

MR. BOYD: Tom Boyd. Tom Boyd, Fish & Wildlife Service. Just to verify Helga's response, this Federal Subsistence Program does not include management of migratory birds.

CHAIRMAN O'HARA: It's none of our business then? Okay. We can understand.

MR. BOYD: Well, what it is, I wouldn't go that far, Mr. O'Hara. I mean, if you have concerns in that area, certainly we have served as, if you will, conduits in the past for forwarding the concerns of this body to those in the appropriate office.

CHAIRMAN O'HARA: Okay. I think what I had talked about earlier was when we come to the October meeting and we have new proposals,

MS. EAKON: Uh-huh.

CHAIRMAN O'HARA: that's some of the things that maybe we -- that I would be interested in bringing to this Council at that time.

MS. EAKON: Oh, okay.

CHAIRMAN O'HARA: And, you know, I don't think I need to bring to this Council today some of the future proposals we're going to have. I have some that I'm interested in, and I'm sure you're going to running across some that you might be interested, too. Yeah, Robin?

MR. SAMUELSEN: Yes. As far as the migratory bird issue, Mr. Chairman, maybe Ted Krieg could give us a report in our fall meeting on the migratory bird subsistence harvest surveys that he's doing in the villages, and maybe an update on where the bilateral nation treaty is on migratory bird.

CHAIRMAN O'HARA: Yeah. Okay. That's all I have. Anything else?

MS. EAKON: One more thing, and that is your time and location of the next meeting. Under tab 10 you do have a calendar of the window, which is between September 8 and October 19.

CHAIRMAN O'HARA: It probably should be Dillingham.

MR. ABRAHAM: Mr. Chairman?

CHAIRMAN O'HARA: Yes?

MR. ABRAHAM: Why do you want to go to Dillingham? Let's go to Togiak Sport Camp.

MR. SAMUELSEN: On the second.

CHAIRMAN O'HARA: Togiak?

MR. ABRAHAM: Yeah.

CHAIRMAN O'HARA: What time?

MR. ABRAHAM: Sports Camp. Togiak, you know, the sports camp right there.

CHAIRMAN O'HARA: Uh-huh. Where's that at?

MR. ABRAHAM: About -- it's right above Togiak.

MR. SAMUELSEN: Let's go to Togiak. What's wrong with Togiak?

MR. ABRAHAM: We could go right to Togiak, too. (In Yup'ik) Yeah. But I'll shop around first and then I'll let you know. There will be accommodations. But you will have more accommodations up in the Sports Camp. In Togiak, there's a bed and breakfast, but the accommodations wouldn't be too adequate over there. So the Sports Camp will be better.

CHAIRMAN O'HARA: The time frame. Window of meetings. What time?

MR. ABRAHAM: Well, I'll have to talk with the people over there, and then I'll call Helga about it, and then she'll let us know.

CHAIRMAN O'HARA: Okay. Good. I'll coordinate with you, what I've got in October. Tim?

MR. LaPORTE: Any time in September is pretty tough for me to get away.

CHAIRMAN O'HARA: Yeah. September's pretty much out for me. I don't know if anybody wants to think about October or not. We have pretty a big BBNC meeting in October that we have to attend to also. AFN convention. So those are tough dates to work up, but we can do that. But let's tentatively plan Togiak.

MS. EAKON: Togiak.

CHAIRMAN O'HARA: A date in October.

MR. SAMUELSEN: At the call of the Chair.

CHAIRMAN O'HARA: Okay.

MS. EAKON: Okay.

CHAIRMAN O'HARA: What else do we have?

MS. EAKON: That is it.

CHAIRMAN O'HARA: We need a motion to adjourn.

MR. LaPORTE: I'll move to adjourn.

MR. SAMUELSEN: Second.

CHAIRMAN O'HARA: By the way, these teeshirts, where did they come from?

MR. STEPANOFF: Helga.

CHAIRMAN O'HARA: Helga? No kidding?

MS. EAKON: Yeah.

CHAIRMAN O'HARA: (Indiscernible, simultaneous speech)
Thank you.

MS. EAKON: Your memento.

CHAIRMAN O'HARA: All right. There's a motion and a second and all those in favor say aye?

IN UNISON: Aye.

CHAIRMAN O'HARA: Thank you. Good meeting, guys.

(END OF PROCEEDINGS)

C E R T I F I C A T E

UNITED STATES OF AMERICA)
) ss.
STATE OF ALASKA)

I, Meredith L. Downing, Notary Public in and for the State of Alaska and Reporter for R & R Court Reporters, Inc., do hereby certify:

THAT the foregoing pages numbered 77 through 232 contain a full, true and correct Transcript of the Bristol Bay Subsistence Regional Advisory Council, Volume 2 meeting taken electronically by me on the 19th day of March, 1996, beginning at the hour of 8:30 o'clock a.m. at the FAA Comserfac, King Salmon, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by me to the best of my knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 27th day of March, 1996.

Notary Public in and for Alaska

My Commission Expires: 7/3/98

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